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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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<p>STEVE JACKSON GAMES INCORPORATED</p> <p>Opposer,</p> <p>v.</p> <p>INXILE ENTERTAINMENT, INC.</p> <p>Applicant.</p>	<p>Opposition No. 91225722</p> <p>Serial No. 86/702,458</p>
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INXILE’S OPPOSITION TO SJG’S MOTION FOR SUMMARY JUDGMENT

Applicant inXile Entertainment, Inc. (“inXile”), submits this Opposition to Opposer Steve Jackson Games Incorporated’s (“SJG”) Motion for Summary Judgment.

I. INTRODUCTION AND SUMMARY OF ARGUMENT

SJG’s licensee, Origin Systems, released the *only* “Autoduel” computer game more than thirty years ago. That game has not been available for more than twenty five years. Despite this, SJG asserts that it can preclude others from using “Autoduel” in connection with computer games, apparently forever, by doing nothing more than warehousing on its “Warehouse23” website back issues of twenty to thirty year-old supplements to its Car Wars board game. SJG’s position is inconsistent with applicable law.

“The Lanham Act was not intended to provide a warehouse for unused marks.” *Ziebarth v. Del Taco, LLC*, 2015 TTAB LEXIS 324, *44 (TTAB 2015)(quoting *Imperial Tobacco v. Phillip Morris*, 14 U.S.P.Q.2d 1390, 1394 (Fed. Cir. 1990). SJG’s claim that it did not abandon the mark is based entirely on its argument that uploading HTML or pdf copies of twenty to thirty year old back issues on its “Warehouse 23” website somehow constitutes continuing “use” under the law. It does not. See, e.g., *Kusek v. The Family Circle, Inc.*, 894 F.Supp. 522 (D. Mass. 1995) (sale of back issues does not prevent abandonment of mark, as it does not constitute “use”

within the meaning of the Lanham Act); *Warren Publishing Co. v. Spurlock*, 645 F.Supp.2d 402 (E.D. Pa. 2009) (same).

In this case, there is prima facie evidence of abandonment because SJG has not used the mark for much longer than three years. 15 U.S.C. § 1127. Therefore, there exists a presumption that SJG abandoned the mark without intent to resume use. SJG has not rebutted, and cannot rebut, that presumption. Nor has SJG even sought to argue that it intends to resume use. Rather, SJG bases its entire non-abandonment argument on its faulty assertion that uploading pdfs of twenty to thirty year old back issues constitutes sufficient use.

SJG seeks to rely on hearsay evidence of apparent gamers who, upon learning of inXile's trademark application for "autoduel," pondered whether inXile's game would be related to Origin Systems' game from thirty years earlier.¹ However, evidence of persons wondering whether inXile's game is related to Origin Systems' thirty year old game is not evidence of confusion. See, e.g., *Nora Beverages, Inc. v. Perrier Group of America, Inc.*, 269 F.3d 114, 124 (2d. Cir. 2001) ("Inquiries about the relationship between the owner of a mark and an alleged infringer do not amount to actual confusion. Indeed, such inquiries are arguably premised upon a *lack* of confusion between the products such as to inspire the inquiry itself.") (emphasis in original; citations omitted). Moreover, the fact that persons may recall Origin Systems' thirty year old computer game and wonder if inXile's game has any relation is entirely irrelevant, because SJG has abandoned the "autoduel" mark. *Ziebarth*, 2015 TTAB LEXIS 324, at *41 ("The Board has never found residual goodwill to be a defense to abandonment, and we decline to do so here. The continued existence of enthusiasts of the old Naugles food items does not negate the statutory presumption of abandonment.")

As explained below, SJG used "autoduel" in connection with supplements to its Car Wars game, and the last time it did so was in 1997. SJG claims that it had a "digital release" of its Autoduel Quarterly magazine in 2005. (Motion, pg. 6.) However, it is undisputed that this

¹ As explained below, SJG itself never sold an "Autoduel" computer game, but its licensee, Origin Systems, sold an Autoduel computer game for a few years beginning in 1985.

alleged “digital release” was nothing more than uploading back issues of Autoduel Quarterly from the 1980s and early 1990s. As stated above, the mere uploading of back issues on the Warehouse 23 website does not constitute the deliberate and continuous use that is required under trademark law. *Kusek, supra*, 894 F.Supp. at 533. (“Minimal use of a mark, which use is not part of an ongoing program to exploit the mark is insufficient to vest a party with trademark rights.”) (citations omitted).

The evidence relating to SJG’s use of the “autoduel” mark establishes that SJG stopped using the mark some twenty years ago. Moreover, SJG has presented absolutely no evidence to support any claim of an intent to resume use. SJG’s own conduct in dealing with the Trademark Office also shows abandonment. As explained below, SJG’s prior registration for “AUTODUEL!” for miniature metal cars was cancelled long ago. (Oines Dec. **Ex. 10.**) SJG has never owned any other registration for “autoduel.” As explained below, however, in 2013, SJG objected to another party’s intent to use application for “autoduel” for computer games and, in connection therewith in May of 2013, filed its own application to register “autoduel” for “digital, downloadable, or electronic media; namely, text and graphic files of rules, maps, components, and supplements for family games, boardgames, and roleplaying games.” SJG claimed a first use in commerce of January 6, 2005, which apparently referred to the time when the archived back issues were made available in pdf format on the website.² Recognizing that the application was improper, SJG abandoned the application. Then, after inXile filed its intent to use application that is the subject of this proceeding, SJG filed another application for the exact same goods as its previous application, but this time filed it as an “intent to use” application, thereby acknowledging that the uploading of pdf back issues of rules, maps, supplements, etc., did **not** constitute use of the mark. SJG’s claim that both the abandonment of the May, 2013 application and the filing of the second application as an intent to use application were “inadvertent” strains

² Of course, it was improper for SJG to file such an application because the alleged “use” of the mark, in fact, does not constitute use under applicable law.

credulity and is belied by SJG's internal emails, which, in discussing the May 2013 application, admits that [REDACTED]

In its Motion, SJG discusses a recent Kickstarter promotion in which SJG sought to raise money for a Car Wars arenas project. The Kickstarter program shows that SJG is not using and does not intend to use the alleged mark "autoduel" with its Car Wars game. SJG's proposed boardgame was entitled "Car Wars Arenas." (Oines Dec. Ex. 11.) In connection therewith, SJG never purports to use "autoduel" as a trademark, and instead, makes statements such as "[t]he most dangerous arenas in autoduelling history . . ." (Oines Dec. Ex. 11.) This clearly is not an attempt to use "autoduel" or "autoduelling" as a trademark.

SJG acknowledges that its use of "autoduel" is a thing of the past, and that its current activities relating to "autoduel" consist of nothing more than archiving back issues on SJG's archive site www.warehouse23.com. SJG states on its website at www.sigames.com that "[f]or 10 years, ADQ [Autoduel Quarterly] was the official Car Wars magazine. It has not been published since 1992, but we are currently building an online archive. The Autoduel Quarterly Archive is available from Warehouse 23 in PDF format." (Oines Dec. Ex. 23.)

inXile is a well-known gaming company that was founded by a legend in the computer gaming industry, Brian Fargo. Mr. Fargo started his first company and released his first computer game in 1981, when he was still in high school. (Fargo Dec. ¶ 2.) Mr. Fargo and his companies have gone on to develop and release numerous computer games. (Fargo Dec. ¶¶ 2-3.) As explained in detail below, although Mr. Fargo had been aware of Origin Systems' Autoduel computer game from the 1980s, he knew it had not been available for more than twenty years. (Fargo Dec. ¶ 5.) Recognizing that SJG had abandoned any rights SJG may have had in "autoduel," inXile decided to design and develop a post-apocalyptic computer game in which vehicles compete, and to call it "Autoduel." (Fargo Dec. ¶¶ 5-10.) As evidenced by the Declaration of Brian Fargo and the documents discussed below, inXile had a bona fide intent to use the mark when it filed its application. SJG's argument that inXile did not have a bona fide intent because the numerous documents that discuss inXile's plans for the game are dated after

the filing of the trademark application ignores applicable law. It is well-settled that documents prepared after the application can prove that there was a bona fide intent at the time of filing the application. See, e.g., *Lane Limited v. Jackson International Trading Company*, 1994 TTAB LEXIS 41, 33 U.S.P.Q.2d (BNA) 1351, 1353 (TTAB 1994). Moreover, to establish bona fide intent, the evidentiary bar is not high. *Kelly Services, Inc. v. Creative Harbor, LLC*, 846 F.3d 857, 864 (6th Cir. 2017). In this case, the undisputed evidence shows that inXile conducted a trademark availability search and, upon learning the mark was available, has filed applications in five countries and the European Union. (Fargo Dec. ¶¶ 7-11.) Although inXile's employees have been working diligently on finishing its latest game, *Torment: Tides of Numenera*, which was just released on February 28, 2017, inXile's employees and some outside the company have also been discussing the *Autoduel* game, and have been exchanging ideas and proposals for the game, and continue to do so as they move forward in development of the game. SJG has presented no evidence to contradict inXile's intent to use the mark.

In light of the foregoing, SJG's Motions should be denied. On the other hand, as stated above, given lack of use for more than twenty years, it is SJG's burden to establish non-abandonment. It is also SJG's burden to establish lack of bona fide intent. *Bos. Red Sox Baseball Club LP v. Sherman*, 2008 TTAB LEXIS 67, * 16, 88 U.S.P.Q.2d 1581 (TTAB 2008). Because SJG has failed to meet its burden on either issue, the Board can and should grant summary judgment in inXile's favor. Fed. R. Civ. P. 56(f); *Accu Personnel Inc. v. Accustaff Inc.*, 1996 TTAB LEXIS 3, 38 U.S.P.Q.2d 1443, 1446 (TTAB 1996).

Finally, even if SJG has not abandoned any rights it had in "autoduel," SJG has not established that it is entitled to summary judgment on the issue of likelihood of confusion.

II. STATEMENT OF PERTINENT FACTS

A. SJG's Use of "Autoduel" Ceased Twenty Years Ago.

SJG used the word "autoduel" in connection with its *Car Wars* role playing game. SJG released *Car Wars* in about 1980 or 1981. *Car Wars* was in the format of a book, and it was sold through the mail, in hobby stores and in book stores. (Oines Dec. Ex. 12, pgs. 18:12-19:16)

SJG first used “autoduel” in 1982 on packaging for miniature metal cars. (Oines Dec. Ex. 12, pg. 25:14-22.) These cars could be used with Car Wars or any other game. (Oines Dec. Ex. 12, pg. 25:11-18.) Although SJG believes these miniature cars were sold for about five years, “give or take two years,” (Oines Dec. Ex. 12, pgs. 28:6-29:19) there is no real evidence that the miniature cars were sold later than 1982.

In 1983, SJG published Autoduel Champions, which was a role playing book designed to allow players to play SJG’s Car Wars game using the Champions’ rule set. (Motion, pg. 6; Oines Dec. Ex. 12, pgs. 32:24-34:7.) There is no evidence that Autoduel Champions was sold after 1983. As of October, 1989, Autoduel Champions is out of print with no reprint planned. (Oines Dec. Ex. 13.)

SJG published Autoduel Quarterly from 1983 to 1992. (Oines Dec. Ex. 14, Ex. 12, pgs. 23:23-24:2.) Autoduel Quarterly was a supplement for the Car Wars game. (Oines Dec. Ex. 12, pgs. 18:9-11, 41:5-42:2.) Autoduel Quarterly was a quarterly magazine that pretended to be written fifty years in the future and was dedicated to the practice of vehicular combat. (Oines Dec. Ex. 12, pg. 23:1-21.)

There is no evidence that any hard copy issues of Autoduel Quarterly were ever sold after 1992. (Motion, pg. 6, Reed Dec., Ex. 13.) SJG itself has stated that “Autoduel Quarterly Issue 10/4 was published in the Winter of 1992, and was the last issue of ADQ ever. After this issue, coverage of Car Wars would continue in Pyramid magazine. Autoduel Quarterly went out with a bang” (Oines Dec. Ex. 14.)

Although SJG has never used “autoduel” in connection with computer games, Origin Systems, pursuant to license from SJG, published an Autoduel video game, which was available from 1985 to 1988. (Motion, pg. 6)

In 1986, SJG published a Car Wars role-playing book with the title “GURPS Autoduel.” (Motion, pg. 6.) GURPS Autoduel was sold until [REDACTED] (Reed Dec., Ex. 13; Oines Dec. Ex. 15.)

From 1987 to 1988, SJG published volumes one through seven of the AADA Road Atlases, which were supplements to Car Wars and GURPS Autoduel. (Oines Dec. Ex. 16; Reed

Dec., **Ex. 13.**) SJG did not use the word “autoduel” to identify the atlases, but only noted that the atlases were supplements to Car Wars and GURPS Autoduel. (Reed Dec., **Ex. 8.**)³

SJG published GURPS Autoduel Car Warriors, Zombietown USA (which referred to GURPS Horror/Autoduel on the cover), and Autoduel America maps in 1987, 1988 and 1989, respectively. (Motion, pg. 7, Reed Dec., **Exs. 9, 10 and 11.**)

SJG’s last use of “autoduel” was in 1996 when it published GURPS Autoduel, second edition. (Motion, pg. 7.) However, as of 1996, SJG no longer asserted that it had trademark rights in “autoduel.” Prior to that time, Opposer had placed ® or ™ next to “autoduel.” (Reed Dec. **Exs. 7, 8, 9 and 10.**) With the publication of GURPS Autoduel, second edition, however, SJG used an ® with GURPS, but no trademark notice with “autoduel.” (Reed Dec., **Ex. 12.**)

B. SJG Did Not Use “Autoduel” After 1996.

After 1996, SJG stopped using “autoduel” entirely. SJG’s only alleged “uses” after 1996 consisted entirely of selling out old inventory of a few items and the uploading in around 2005 to its Warehouse 23 website of archived back issues of its previous publications. Not surprisingly, given SJG’s lack of use of the mark, SJG allowed its registration for “AUTODUEL!” to be cancelled. (Oines Dec. **Ex 10.**)

In its Motion, SJG states that it continued to sell its stock of inventory of the aforementioned items until 2012. (Motion, pg. 8.) This statement is misleading to say the least. There is no evidence of any sales of Autoduel publications after 1992, except SJG claims [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] (Reed Dec. **Ex. 13.**)

That’s it! And as stated above, SJG did not use the word “autoduel” to identify the road atlases,

³ It should be noted that on the cover of these road atlases, that SJG’s use of an “®” with “autoduel” on the cover of the road atlases was improper. The only registration SJG ever owned (now abandoned) was for “Autoduel!” for “miniature figures for use with a parlour game sold separately.” (Reed Dec. **Ex. 1.**)

but only noted that the atlases were supplements to Car Wars and GURPS Autoduel. (Reed Dec., Ex. 8.)

In 2005, SJG apparently started making archive copies of Autoduel Quarterly available as HTML or PDF files, not on its website at www.sjgames.com, but on a “warehouse” website, www.warehouse23.com. As the name implies, this is where SJG warehoused its old publications. SJG has acknowledged that it was done using the autoduel name, and was merely providing archived copies of old materials on the Warehouse 23 website. Indeed, in 2014, a Car Wars archivist asked if SJG could put a PDF of the GURPS Autoduel, first edition, on the Warehouse 23 website. SJG replied: “I’ll see what we’re able to do (although I admit that it’ll be a lower priority, since it’ll likely involve poking through corners of archives that haven’t witnessed the light of day in many a year . . .” (Oines Dec. Ex. 17.)

SJG has never used “autoduel” in connection with online downloadable computer or video games. (Oines Dec. Ex. 12, pg. 59:12-16). [REDACTED]

[REDACTED]

(Oines Dec. Ex. 18, pg. 91:12-16.)

C. SJG’s Recent Dispute With Another Party Merely Shows SJG Improperly Seeks to Prevent Others from Using “Autoduel,” Even Though SJG Long Ago Abandoned the Mark.

Given that SJG stopped using “autoduel” all together in the mid-1990s, it is not surprising that SJG allowed its registration for “AUTODUEL!” to be cancelled. SJG never sought to obtain a registration for autoduel after its initial filing for the miniature metal cars until a third party recently sought to register “autoduel.” In particular, Big Boat Interactive (“BBI”) filed an intent to use application for “AUTODUEL” for “computer game software for personal computers and home video game consoles.” (Oines Dec. Ex. 19.) At the time, Maxx Kaufman was with Pixelbonic, which was working on a Kickstarter campaign with BBI for a computer game they intended to call “Autoduel.” (Fargo Dec. ¶ 6.) When SJG found out about this, SJG objected to use of the name “Autoduel” and filed an Opposition to BBI’s application for

registration. (Oines Dec. **Ex. 19**.) Pixelbonic/BBI decided it was easier to change the name than dispute the trademark issues over “Autoduel.” (Fargo Dec. ¶ 6.) At that time, Mr. Kaufman was also working part-time for inXile, but inXile was not involved in the Kickstarter project. (*Id.*) Mr. Kaufman discussed the issues with Mr. Fargo of inXile, who told Mr. Kaufman that he thought Mr. Kaufman should pursue use of “Autoduel” because he thought SJG did not own trademark rights. (*Id.*)

On May 23, 2013, apparently due to BBI’s filing, SJG filed an application to register “AUTODUEL” for “digital, downloadable, or electronic media; namely, text and graphic files of rules, maps, components, and supplements for family games, boardgames, and roleplaying games.” (Oines Dec. **Ex. 19**.) SJG claimed a first use in commerce of January 6, 2005, which presumably referred to the time when the archived back issues were made available on the Warehouse website. (*Id.*) SJG’s application was improper because merely uploading twenty to twenty-five year old back issues was not a “use” in commerce under applicable law. In any event, SJG abandoned its application. (Ress Dec., **Ex. 49**.)

inXile filed its application on July 23, 2015. At some point thereafter, SJG became aware of inXile’s application and, internally, acknowledged [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Oines Dec.

Ex. 20; emphasis added.)⁴

⁴ SJG’s assertion that its abandonment of its mark and application were “inadvertent” is belied by the facts. First, the email quoted above acknowledges that [REDACTED]

[REDACTED] (Oines Dec. **Ex. 18**, pgs. 66:25-67:17.)

Moreover, at around that same time, Ms. Zakes of SJG took steps to revive another one of SJG’s trademark applications. In particular, on March 30, 2015, just months after SJG supposedly “inadvertently” let the application for “Autoduel” go abandoned, Ms. Zakes filed a Petition to Revive SJG’s application for “Hipster Dice,” which mark was registered on June 30, 2015. (Oines Dec. **Ex. 21**.)

On November 2, 2015, SJG filed another application for the exact same goods as the May 23, 2013 application and filed it as an “intent to use” application, thus explicitly acknowledging that the uploading of the pdfs of old back issues was **not** a use of the mark. (Ress Dec., **Ex. 47.**)⁵

D. inXile’s Bona Fide Intent to Use the Mark and Application Therefor.

Since being formed in 2002, inXile, has had eighteen games released, the most recent being Torment: Tides of Numenera, which was just released on February 28, 2017. (Fargo Dec. ¶ 3.) The time from conception to actual release of a game at inXile typically lasts at least a few years and can last up to several years. (*Id.*) After Mr. Fargo decides to create a new game at inXile, Mr. Fargo, the creative people and the game designers exchange broad ideas for the game before actually going into production. (*Id.*) This process can last many months and sometimes more than a year, depending in part on what other games are in production at the time and what resources are available. (*Id.*) Exchanging and discussing broad concepts for a new game freely and without deadlines before moving deep into production allows the team to think creatively about the game, without the pressure of incurring significant costs associated with the actual production of the game. (*Id.*) This process is typical in the computer gaming industry. (*Id.*)

At any given time, inXile normally has a pipeline of two or three games, although most of the employees’ time is focused on the development of the next to be released game. (*Id.*, ¶ 4.) While inXile takes on the enormous amount of work necessary to finish a game for release, it also has another game or two in the discussion and/or design stages. (*Id.*) In 2015, inXile was very busy working to finalize and release Wasteland 2: Director’s Cut. (*Id.*) Through 2016 and into 2017, inXile has been very busy working on Torment: Tides of Numenera (released on February 28, 2017) and The Bard’s Tale IV. (*Id.*)

⁵ SJG asserts that it received an inquiry in 2015 “regarding potentially licensing the AUTODUEL mark for a new video game.” (Reed Dec. ¶ 18.) However, nothing in the referenced email indicates that the person inquiring wished to license a trademark. In fact,

(Reed Dec. **Ex. 16.**) Regardless, this inquiry cannot save SJG’s abandonment of the mark.

At the time inXile filed its application for the “Autoduel” mark on July 23, 2015, Mr. Fargo of inXile was generally aware of the Origin Systems Autoduel computer game from the 1980s, but he knew that game had not been available for more than 20 years. (*Id.*, ¶ 5.) Mr. Fargo was not aware of any of SJG’s prior uses of Autoduel in connection with its Car Wars game supplements, which, in any event, ceased approximately 20 years ago. (*Id.*)

At some point in 2013, Mr. Fargo of inXile became aware that a company called Big Boat Interactive (“BBI”) had filed an intent to use application for “AUTODUEL” for “computer game software for personal computers and home video game consoles.” (*Id.*, ¶ 6.) At the time Mr. Fargo learned of this, Maxx Kaufman was with Pixelbonic, which was working on a Kickstarter campaign with BBI for a computer game they intended to call “Autoduel.” (*Id.*) Mr. Fargo learned from Mr. Kaufman that SJG objected to use of the name “Autoduel” and filed an Opposition to BBI’s application for registration. (*Id.*) Mr. Fargo also learned that Pixelbonic/BBI decided it was easier to change the name than dispute the trademark issues over “Autoduel.” (*Id.*) At the time, Mr. Kaufman was also working part-time for inXile, but inXile was not involved in the Pixelbonic/BBI Kickstarter project. (*Id.*) Mr. Kaufman discussed the issues with Mr. Fargo, at which time Mr. Fargo told Mr. Kaufman he thought Mr. Kaufman should pursue use of “Autoduel” because Mr. Fargo thought SJG did not own trademark rights in that term. (*Id.*) Mr. Fargo still believes this to be the case. (*Id.*)

During that time period, Mr. Fargo learned from searching the USPTO website that SJG had long ago abandoned its only registration for “AUTODUEL!” (*Id.*, ¶ 7.) At some point, Mr. Fargo also learned that on May 23, 2013, apparently due to BBI’s trademark application filing, SJG filed an application to register “AUTODUEL” for “digital, downloadable, or electronic media; namely, text and graphic files of rules, maps, components, and supplements for family games, board games, and roleplaying games.” (*Id.*) However, Mr. Fargo also learned that SJG had allowed that application to go abandoned. (*Id.*, ¶ 8.)

Based on the information of which Mr. Fargo was aware, he understood that SJG had long ago abandoned any rights it may have had in “Autoduel,” and he believed, therefore, that he could use “Autoduel” for a computer game. (*Id.*, ¶ 9.)

inXile had considered for many years the possibility of developing a post-apocalyptic computer game that would include battling vehicles. (*Id.*, ¶ 10.) This is a fairly popular genre whose themes have been in popular movies such as the Mad Max franchise. (*Id.*) In 2015, Mr. Fargo decided to proceed with the design and development of such a game, and after confirming that “Autoduel” was available for a name, he decided to name the game “Autoduel.” (*Id.*)

inXile filed its intent to use application in the United States on July 23, 2015. (*Id.* at ¶ 11.) inXile has also filed trademark applications for “Autoduel” in Australia, Canada, China, Korea and the European Union. (*Id.*) Shortly after inXile filed the application in the United States, a website that covers the gaming industry, apparently learned of inXile’s trademark filing and wrote a note about it. (*Id.*) Others who cover the industry picked up on the note. (*Id.*) After PC Gamer wrote an article about inXile’s trademark application on October 22, 2015, the Redner Group, which does public relations for inXile, received a request for a comment about inXile’s plans for the AUTODUEL game. (*Id.*) At that time, Mr. Fargo informed Redner Group that it was too early to comment, as he typically does not comment on games that are early in the design process. (*Id.*, ¶ 11 and Ex. 1.)

At inXile, much of the design process involves informally and verbally sharing ideas and concepts for the games inXile has planned. (*Id.*, ¶ 12.) inXile typically does not create a lot of documents in the early stages. (*Id.*) Nonetheless, inXile has produced numerous documents in this case that confirm inXile’s intent to use “Autoduel.” (*Id.*)

For example, **Exhibit 2** of the Fargo Declaration is a November 11, 2015 email in which Mr. Fargo comments on an article he had read on a gaming industry website, and commented to the inXile design and development team: “It will be a fine line we walk with Autoduel for mobile when we decide to start designing it.” inXile is considering a mobile phone version of Autoduel. (*Id.*, ¶ 13 and Ex. 2.)

Attached hereto as **Exhibit 3** to the Fargo Declaration is a December 4, 2015 email from Eric Daily, a Producer at inXile, in which Mr. Daily sets forth some ideas for inXile's Autoduel game. (*Id.*, ¶ 14 and **Ex. 3**.) In his email, Mr. Daily refers to a conversation he overheard between Mr. Fargo and George Ziets, a lead writer at inXile, about the Autoduel game. (*Id.*)

On January 11, 2016, Mr. Fargo exchanged emails with Chris Keenan, Vice President of Development at inXile, regarding the "mobile focused Autoduel product." (*Id.*, ¶ 15, **Ex. 4**.)

On January 19, 2016, Thomas Beekers, Creative Producer at inXile, forwarded some articles from the trade press regarding marketing initiatives to Mr. Fargo. (*Id.*, ¶ 16.) Mr. Beekers noted "I suspect if we do wind up crafting a smaller title for mobiles in AutoDuel we'll have to heavily explore a lot of this more creative marketing" (*Id.*, ¶ 16 and **Ex. 5**.)

On February 18, 2016 Mr. Keenan forwarded to Mr. Fargo by email an article about "where the industry is headed" and noted: "Certainly will need to keep this in mind for Autoduel though." (*Id.*, ¶ 17 and **Ex. 6**.)

From April 5 through 12, 2016, emails were exchanged between Pixel Dash Studios and inXile relating to a proposal Pixel Dash made to inXile for Autoduel. (*Id.*, ¶ 18.) Pixel Dash is an outside studio who was aware of inXile's plans for Autoduel and made the proposal in an effort to work with inXile on Autoduel. (*Id.*) The seventeen page April 5, 2016 proposal is attached to the Fargo Declaration as part of **Exhibit 7**. One of the emails from Matt Findley of inXile notes that Mr. Findley had talked to Mr. Fargo about Pixel Dash's proposal for Autoduel, and Mr. Findley was forwarding Mr. Fargo's general comments on their proposal. (*Id.*)

On May 30, 2016, Mr. Beekers of inXile sent Mr. Fargo an email to which Mr. Beekers attached a "pitch" for his ideas for the Autoduel game. (*Id.*, ¶ 19.) The thirteen page pitch is attached as **Exhibit 8** to the Fargo Declaration.

On January 5, 2017, Mr. Daily sent Mr. Fargo an email with Mr. Daily's thoughts about using "Autoduel" and possibly including independent developers. (*Id.*, ¶ 20 and **Ex. 9**.) At that time, inXile was approaching the release of Torment, so it would be normal for Mr. Daily to be thinking about other projects in the pipeline to turn his attention to. (*Id.*, ¶ 20.) On that same

day, Mr. Fargo responded to Mr. Daily indicating that Mr. Beekers had already prepared an initial design for Autoduel and that Mr. Daily brought into the loop. (*Id.*, ¶ 20 and Ex. 9.)

inXile just completed and released Torment at the end of February, 2017. (*Id.*, ¶ 21.) This frees up resources at inXile to focus on moving forward with other games in the pipeline. (*Id.*) Shortly after the release of Torment, Mr. Fargo formally assigned Mr. Daily as the Producer of Autoduel at inXile. (*Id.*) As Producer, Mr. Daily will gather and work with the team at inXile to strategize, design and develop the Autoduel game. (*Id.*) inXile intended on July 23, 2015 to use “Autoduel” for its game, and still intends to use it. (*Id.*, ¶ 22.)

E. SJG Has Produced No Evidence That it Intended to Resume Use of the Autoduel Mark At any time Since 1996, Including With Respect to its Recent Kickstarter Campaign.

SJG has provided no evidence of intent to resume the use of Autoduel and, instead has relied on its incorrect assertion that uploading twenty to thirty year old back issues is sufficient use. SJG’s recent Kickstarter promotion in which SJG sought to raise money for its Car Wars arenas project confirms that SJG does not intend to use “Autoduel” as a trademark. SJG’s proposed boardgame was entitled “Car Wars Arenas.” (Oines Dec. Ex. 11.) In connection therewith, SJG never purports to use “autoduel” as a trademark, and instead, makes statements such as “[t]he most dangerous arenas in autoduelling history . . .” (Oines Dec. Ex. 11.) This clearly is not an attempt to use “autoduel” or “autoduelling” as a trademark. During his deposition, Mr. Reed stated that [REDACTED]

[REDACTED] (Oines Dec. Ex. 18, pgs. 89:7-90:20) Mr. Reed testified that [REDACTED]
[REDACTED]

[REDACTED] (*Id.*)

III. ARGUMENT

A. Summary Judgment Standards

SJG’s Motion can be granted only if there are no genuine issue as to any material fact and SJG is entitled to judgment as a matter of law. Fed. R. Civ. Pro. 56(c); *Celotex Corp. v. Catrett*,

477 U.S. 317 (1986). To meet its burden, SJG must show that there is an absence of evidence to support inXile's case. *Id.* at 323. A factual dispute is genuine if a reasonable fact finder could resolve the matter in favor of the nonmoving party. *Lloyd's Food Products Inc. v. Eli's Inc.*, 987 F.2d 766, 767, 25 U.S.P.Q.2d 2027 (Fed. Cir. 1993).

In deciding a motion for summary judgment, the Board may not resolve an issue of fact, but may only determine whether a genuine issue of material fact exists. *Meyers v. Brooks Shoe Inc.*, 912 F.2d 1459, 1461, 16 U.S.P.Q.2d 1055 (Fed. Cir. 1990). The nonmoving party must be given the benefit of all reasonable doubt as to whether genuine issues of material fact exist; and the evidentiary record, and all inferences to be drawn from the undisputed facts, must be viewed in the light most favorable to the nonmoving party. *Lloyd's*, 987 F.2d at 767.

B. inXile had and has a Bona Fide Intent to Use "Autoduel."

1. Applicable Law.

Whether an applicant had a bona fide intent to use the mark in commerce at the time of the application requires objective evidence of intent, but the evidentiary bar is not high. *Kelly Services*, 846 F.3d at 864. The determination must be made on a case-by-case basis based on the totality of the circumstances. *Id.* As a general rule, the factual question of intent is particularly unsuited to disposition on summary judgment. *Id.* citing *Honda Motor Co., Ltd. v. Winkelmann*, 2009 TTAB LEXIS 202, at * 5, 90 U.S.P.Q.2d 1660 (TTAB 2009).

The Court in *Kelly Services* provided a nonexclusive list of the types of activities that show a bona fide intent. These include:

- conducting a trademark availability search;
- performing preparatory graphic design work or labeling on sales material for a product;
- using a mark in test marketing;
- testimony regarding informal, unwritten business plans or market research;
- obtaining necessary regulatory permits;
- obtaining a correlative domain name for the mark or setting up a website;
- making contacts with individuals who might help develop a business;

- correspondence mentioning the planned use of the mark;
- attempts to find licensees, including ones outside of the U.S.;
- obtaining commercial space in which to perform the services.

Id at 865, citing Sandra Edelman, *Proving Your Bona Fides—Establishing Bona Fide Intent to Use Under the U.S. Trademark (Lanham) Act*, 99 Trademark Rptr. 763, 781-82 (2009).

SJG has the burden to demonstrate by a preponderance of the evidence that inXile lacked a bona fide intent. *Bos. Red Sox*, 2008 TTAB LEXIS at *16. If SJG meets its initial burden, inXile must submit evidence to support its bona fide intent. However, the burden of persuasion by a preponderance of the evidence remains with SJG. *Kelly Services*, 846 F.3d at 865.

2. The Facts Here Establish Bona Fide Intent.

The facts discussed above establish that inXile had a bona fide intent to use when it filed the application for “Autoduel.” Among other things, inXile has conducted a search of the trademark office database for availability, has performed preparatory graphic and other work, has documents and testimony showing business plans, has made contacts with others outside the company who may assist with the Autoduel game, and has internal and external correspondence about plans for the game. inXile has a company set up to design and develop games, and is working on the Autoduel game. The fact that inXile’s documentary evidence is dated after the filing of the application is irrelevant.

The Board has found a bona fide intent to use on much less. For example in *Lane*, cited above and on which SJG seeks to rely, the Board granted summary judgment in Applicant’s favor. In *Lane*, the Board made it clear that documents dated after the filing of an intent to use application can be relied upon to support an intent to use at the time of the application. In *Lane*, the Applicant relied on letters sent **nine to eleven months** after the application was filed to support Applicant’s *bona fide* intent. 1994 TTAB LEXIS 41, at *11. The Opposer argued that these letters could not be evidence of Applicant’s intent at the time of application. The Board rejected this argument, finding that these letters were sufficiently contemporaneous. The Board held:

“we find that this correspondence, which occurred in October – December 1992, was sufficiently contemporaneous to the application filing date in January 1992 to serve as corroboration of the applicant’s declaration in the application of a bona fide intention to use the mark in commerce. Neither the statute nor the Board’s decision in *Commodore Electronics* expressly imposes any specific requirement as to the contemporaneousness of an applicant’s documentary evidence corroborating its claim of bona fide intention.”

Id. at *19; see also 3 Anne Gilson LaLonde, *Gilson on Trademarks*, § 3.04[2][d] (Matthew Bender) (“The Applicant’s documentation need not be contemporaneous with the filing of the intent-to-use application.”) The Board in *Lane* went on to grant summary judgment in Applicant’s favor on the issue of bona fide intent. *Id.* at *23.

SJG’s reliance on *Commodore Electronics Ltd. v. CBM Kabushiki Kaisha*, 1993 TTAB LEXIS 6, 26 U.S.P.Q.2d (BNA) 1503 (TTAB 1993) is misplaced. That case merely stands for the proposition that a party may establish a prima facie case of lack of bona fide intent by demonstrating that the other party has **no documentary evidence** demonstrating an intent to use. *Id.* at 1507. Of course, in this case, there is uncontradicted testimony and a significant amount of documentary evidence to establish inXile’s bona fide intent.

SJG’s only other case, *Honda Motor Co., Ltd. v. Winkelmann*, 2009 TTAB LEXIS 202, 90 U.S.P.Q.2d (BNA) 1660 (TTAB 2009), also does not support SJG’s Motion. First, the Board recognized in that case that “the factual question of intent is particularly unsuited to disposition on summary judgment.” *Id.* at *5. In *Honda Motor*, the applicant filed an intent to use application in the United States for the mark “V.I.C.” for “vehicles for transportation.” *Id.* at *4. The applicant had **no documentary evidence** to support his intent to use in the United States, but argued that his registration and use of the same mark in Germany supported his claim of bona fide intent in the United States. *Id.* at *4. The Board noted, however, that the uses in Germany were not even in

connection with vehicles for transportation. *Id.* at *7. Thus, the applicant had no evidence whatsoever to support its argument that it had a bona fide intent to use the mark for vehicles for transportation in the United States. *Id.* at *13-14. Again, in this case there is uncontradicted testimony and a significant amount of documentary evidence to establish Applicant's bona fide intent.

In light of the foregoing, the Board should deny SJG's motion and grant summary judgment in inXile's favor on the issue of bona fide intent. At a minimum, there are issues of fact to prevent summary judgment in SJGs favor.

C. SJG has Abandoned any Rights In "Autoduel."

1. There is a Legal Presumption of Abandonment here.

Pursuant to 15 U.S.C. § 1127, a mark is abandoned "[w]hen its use has been discontinued with intent not to resume such use. Intent not to resume may be inferred from circumstances. Nonuse for three consecutive years shall be prima facie evidence of abandonment. 'Use' of a mark means the bona fide use of that mark made in the ordinary course of trade, and not made merely to reserve a right in a mark."

As the Federal Circuit has held:

"A showing of a prima facie case creates a rebuttable presumption that the trademark owner has abandoned the mark without intent to resume use. The burden then shifts to the trademark owner to produce evidence that he either used the mark during the statutory period or intended to resume use."

Ziebarth, 2015 TTAB LEXIS 324, at *30-32; quoting *Crash Dummy Movie LLC v. Mattel Inc.*, 601 F.3d 1387, 94 U.S.P.Q.2d 1315, 1316 (Fed. Cir. 2010)

"Once a mark has been abandoned, the abandonment cannot be undone, and a registration of the mark can be cancelled on that basis notwithstanding any later use or intent to resume use." *Ziebarth*, 2015 TTAB LEXIS 324, at *42 "Merely because a party used a mark a long time ago and it could use the mark in the future is not sufficient to avoid abandonment." *Id.* at *43; quoting *Hornby v. TJJX Companies Inc.*, 87 U.S.P.Q.2d 1411, 1421 (TTAB 2008) (citing

Silverman v. CBS Inc., 870 F.2d 40, 9 U.S.P.Q.2d 1778 (2d Cir. 1989)). Intent not to resume use does not mean intent to never resume use. Rather, it means intent not to resume use within the reasonably foreseeable future. *Ziebarth*, 2015 TTAB LEXIS 324, at *43; *Silverman*, 870 F.2d at 1782.

“The statute provides that intent not to resume may be inferred from circumstances, and two [now three] consecutive years of non-use is *prima facie* abandonment. Time is thereby made relevant. Indeed, if the relevant intent were intent never to resume use, it would be virtually impossible to establish such intent circumstantially. Even after prolonged non-use, and without any concrete plans to resume use, a company could almost always assert truthfully that at some point, should conditions change, it would resume use of its mark.

We do not think Congress contemplated such an unworkable standard. More likely, Congress wanted a mark to be deemed abandoned once use has been discontinued with an intent not to resume within the reasonably foreseeable future. This standard is sufficient to protect against the forfeiture of marks by proprietors who are temporarily unable to continue using them, while it also prevents warehousing of marks, which impedes commerce and competition.”

Silverman, 870 F.2d at 1782.

2. SJG Cannot Overcome the Presumption of Abandonment.

Although SJG claims it sold out its inventory of its “Autoduel” publications through 2012, this statement is misleading. There is no evidence of any sales of Autoduel publications after 1992, except SJG claims [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Reed Dec. Ex. 13.)⁶

⁶ As stated above, SJG did not use the “autoduel” mark on the atlases, but only noted on the atlases that the atlases were supplements to Car Wars and “GURPS Autoduel.”

These meager sales of a small number of items from inventory is not the type of “deliberate and continuous” use that is required to avoid abandonment. *Kusek*, 894 F.Supp. at 533. “[N]ominal or residual use is not sufficient to avoid abandonment.” *Id.* citing *Hiland Potato Chip Company v. Culbro Snack Foods, Inc.*, 720 F.2d 981, 984 (8th Cir. 1983). “Minimal use of a mark, which use is not part of an ‘ongoing program to exploit the mark’ is insufficient to vest a party with trademark rights.” *Id.* quoting *Anvil Brand, Inc. v. Consolidated Foods Corp.*, 464 F.Supp. 474, 481 (S.D.N.Y. 1978.)

Yet, even if SJG’s meager sales of physical back issues in inventory is considered use of the mark, it is undisputed that SJG sold the last physical inventory of publications under the “Autoduel” mark in 2003. And even if one considers the meager sales of the “AADA Road Atlas,” which did not themselves incorporate the “autoduel” mark, the last sale of inventory was in 2012. And as stated above, simply uploading pdfs of twenty to thirty year old back issues does not constitute a use in commerce. In *Kusek, supra*, the Court rejected an argument that the ongoing availability of back issues including the mark constitutes use of the mark. In that case, the Court held even the production of physical back issues did not constitute a “use” of the mark. *Id.* at 533. The Court noted:

“Other than the question of back issues, the facts indicate beyond dispute that Defendant completely stopped its use of Speed Cooking after publication of its September 1990 issue. After that issue, Family Circle discontinued its use of the trademark and later specifically abandoned its trademark registration. . . . Family Circle’s inconsequential use of the trademark Speed Cooking, were it making back issues available, cannot forestall abandonment.”

Id. at 533.

The Court went on to note that, to avoid abandonment, use of the mark has to be deliberate and continuous, and not merely sporadic, casual or transitory. *Id.* Nominal or residual use is not sufficient to avoid abandonment. *Id.* The sale of back issues, which was not part of an

‘ongoing program to exploit the mark’ was insufficient to forestall abandonment. *Id.* quoting *Anvil Brand, Inc. v. Consolidated Foods Corp.*, 464 F.Supp. 474, 481 (S.D.N.Y. 1978.)

Likewise, in *Warren Publishing Co. v. Spurlock*, 645 F.Supp.2d 402 (E.D. Pa. 2009), the District Court held that defendant’s ongoing “use” of the mark to sell memorabilia at conventions and the continued sale of back issues of publications branded with the mark were insufficient “uses” to prevent abandonment. *Id.* at 435.

3. SJG’s Authorities Are Distinguishable

SJG’s reliance on the Restatement is misplaced. SJG argues that “[a] change in the kind of goods or services marketed under the trademark is not an abandonment of the trademark owner’s priority if the new goods or services are sufficiently related to the original goods or services.” (Motion, pg. 14.) In this case, it is undisputed that there are no “**new goods or services.**” SJG acknowledges that its only alleged ongoing “use” of the mark consists of SJG’s uploading archives of twenty to thirty year old publications.

SJG’s reliance on *Crash Dummy Movie LLC v. Mattel Inc.*, 601 F.3d 1387 (Fed. Cir. 2010) is also misplaced because here there has been no resumption of use of the mark. As established above, uploading back issues to Warehouse23 is not a “use” of the mark. SJG acknowledged this when it filed its “intent to use” application in 2015.

In *The Kingsmen v. K-Tel International, Ltd.*, 557 F.Supp. 178 (S.D.N.Y. 1983), the Court held the music group “The Kingsmen” had not abandoned their mark because “there is no evidence suggesting that they failed to use the name Kingsmen during the period from 1967 to the present to promote their previously recorded albums.” *Id.* at 183. In this case, there is significant evidence that SJG has not used the mark for years. This case is more like the several cases that have distinguished *The Kingsmen* case. See, e.g., *Drowning Pool LLC v. Drowning Pool*, 2007 TTAB LEXIS 102, *26 (TTAB 2007)(Board distinguished *The Kingsmen* and held the band had abandoned its mark. “[A]pplicant has failed to introduce compelling evidence that it has actively promoted its music since 1990. Applicant’s nominal record sales and royalties over the course of twelve years, without more, are insufficient to overcome a finding that it has

abandoned its . . . mark.”); *Kelly v. Duprees MJA, LLC*, 2012 U.S. Dist. LEXIS 40597, *22 (D.N.J. 2012)(In finding abandonment, Court distinguished *The Kingsmen* because in *The Kingsmen*, “the party defending the abandonment allegation showed that management and/or members of the group continued to promote their music in addition to receiving royalties.”); *Zamacona v. Ayvar*, 2009 U.S. Dist. LEXIS 12178, **5-6 (C.D. Ca. 2009).

SJG’s other case, *Grocery Outlet Inc. v. Albertsons, Inc.*, 2008 U.S. Dist. LEXIS 101999 (N.D. Cal. 2008) is “not for publication” and, therefore, should not even be considered. In any event, *Grocery Outlet* is distinguishable. In *Grocery Outlet*, the Court found there was no abandonment because, among other things, the owner of the “Lucky” mark had sixteen Federal registrations and several state registrations for the mark, and, despite a merger which resulted in “Lucky” grocery stores being renamed “Albertson’s,” the owner continued to discuss, research and analyze use of “Lucky” on certain stores, continued to sell Lucky branded goods in the Albertson’s stores, and maintained registration for www.luckystores.com, which redirected to www.albertsons.com. *Id.*, **4-6. There was also a significant amount of evidence that the owner of the “Lucky” mark intended to continue using the mark, including extensive professional marketing research and a formal business plan which included a proposal to open stores under the “Lucky” mark. *Id.*, **7-9.

None of these facts are present in this case. Moreover, SJG’s reliance on the fact that the Court noted that Albertson’s continued to sell inventory of “Lucky” branded products is misplaced. First, this fact was simply one of many (including those discussed above) that led the Court to find that Albertson’s had not abandoned the “Lucky” mark. Second, selling more than seventy million branded products in stores is nothing like selling a handful of twenty to thirty year old publications in pdf format on a “warehouse” website. *Id.* at *6.

D. SJG is not Entitled to Summary Judgment on Likelihood of Confusion.

An analysis of the pertinent *Dupont* factors shows that SJG has not met its burden on the issue of likelihood of confusion.

To begin with, to the extent SJG has not abandoned its rights, SJG's "autoduel" mark is very weak. SJG has almost always used "autoduel" with a more predominant mark, and in a descriptive manner. (Reed Dec. **Ex. 3** ["Autoduel Champions" . . . "CHAMPIONS Autoduelling"]; **Ex. 4** ["Autoduel Quarterly"]; **Ex. 7** ["GURPS AUTODUEL"]; **Ex. 9** ["GURPS Autoduel CAR WARRIORS"]; **Ex. 10** ["GURPS Horror/Autoduel"]; **Ex. 11** ["AUTODUEL AMERICAN"]; **Ex. 13** ["GURPS AUTODUEL"]; Oines Dec. **Ex. 24** ["CAR WARS EXPANSION SET # 4 Armadillo Autoduel Arena"]. Indeed, SJG acknowledges that [REDACTED] (Oines Dec. **Ex. 18**, pg. 24:3-17.)

Moreover, the marks are not "identical" as SJG suggests. inXile seeks registration for "Autoduel" alone. As explained above, SJG rarely, if ever, used "autoduel" alone.

SJG's argument that the goods are "very closely related" is also misplaced. As stated above, SJG used "autoduel" in connection with supplements to its Car Wars board game, which was sold in a book format. Those supplements were in the form of books and magazines. SJG's other use of "autoduel" was with miniature metal cars. SJG has not met its burden to establish that these goods are "related" to inXile's "online downloadable computer and video game programs" or "interactive video game programs."

Likewise, there is no similarity between the channels of trade. As stated above, SJG's autoduel products were sold through the mail, in hobby stores and in book stores. More recently, one can download archives of some of the old publications. On the other hand, inXile intends to offer its Autoduel game through various direct download platforms. (Motion, pg. 18.)

SJG's assertion that there has been actual confusion is wrong. SJG alleges that the confusion started when someone tweeted on October 22, 2015: "'Hell yes' and posted a screenshot of the TSDR page for Applicant's application." (Motion, pg. 19.) However, this does not show confusion. Rather, it shows that whoever posted was well aware that inXile was not affiliated with SJG, but was applying for a mark that SJG's licensee (Origin Systems) had used long ago. In fact, the person who tweeted also asked if inXile is going to apply for "2400 A.D."

another mark that was used long ago by Origin Systems. (Ress Dec. **Ex. 31**; Oines Dec. **Ex. 22**.) The other comments on which SJG seeks to rely also do not show confusion. Questions asking whether inXile is affiliated with SJG or reminiscing about SJG's long since abandoned Autoduel do not show confusion. *Nora Beverages*, 269 F.3d at 124.

The articles SJG seeks to rely on also recognize that the "autoduel" mark had not been used for more than twenty years. The author of one of the articles (**Exhibit 32** to the Ress Declaration) noted that the computer version of autoduel "was developed by the long-defunct Origin Systems and released all the way back in 1988." (Ress Dec. **Ex. 32**, pg. SJG000470.) The article further speculates that it would not be unreasonable for Electronic Arts (who had acquired Origin Systems many years ago) "to give [Brian Fargo of inXile] a shot at a franchise that hasn't been touched for decades." (*Id.* at SJG000471.) Another article on which SJG relies comments that it would make sense for inXile to "go after revitalizing an older IP for new generations." (Ress Dec. **Ex. 36**, pg. 000382.) Others explicitly question whether SJG abandoned any rights it had in the mark. (Ress Dec. **Ex. 34**, SJG000476.)

Additionally, the "autoduel" these people reminisced about was the Autoduel computer game that has not been available, on www.warehouse23.com or otherwise, for twenty five years or more, not the archived publications that SJG relies upon to seek to prevent a finding of abandonment.

SJG's claim that "mobile phone apps . . . may be purchased on impulse" (Motion, pg. 21) has no evidentiary support whatsoever. Nor does SJG provide support for its speculation that "[i]t is likely that [inXile's] proposed AUTODUEL game will have a similar price." (*Id.*) Again, SJG has not met its burden on this *Dupont* factor.

SJG's argument that its "autoduel" mark is longstanding and well-known is also unsupported. As stated above, the evidence shows that, to the extent SJG still owns any rights in "autoduel," the mark is extremely weak.

SJG's argument that it has used "autoduel" on many goods is misleading and, in any event, irrelevant. First, SJG does not assert – nor could it – that the word "autoduel" appeared on

the “patches, shot glasses and a fan club.” (Motion, pg. 22; Reed Dec. **Ex. 13**.) And as explained above, the other goods on which SJG used “autoduel” are unrelated to inXile’s goods.

As stated above, neither the goods nor the trade channels are related. Therefore, the extent of potential confusion is nonexistent or minimal.

As noted above, SJG’s conduct with respect to BBI/Pixelbonic’s application shows that SJG merely seeks to bully others away from using “autoduel” even though SJG has not used the mark for years and has no intent to use it. Once SJG bullied BBI/Pixelbonic into agreeing not to go forward, SJG simply abandoned its application.

SJG’s claim that inXile was aware of SJG’s rights and intended to trade on good will belonging to SJG is misplaced. As set forth above, Mr. Fargo was aware of Origin Systems’ thirty year old game, but knew that game had not been available for some twenty years or more. Mr. Fargo was also aware that SJG had abandoned all of its prior registrations/applications for “autoduel.” The fact that Mr. Fargo was aware of the old game, and that others might be aware of the old game, is irrelevant, because Mr. Fargo was aware that SJG had abandoned the mark. *Ziebarth*, 2015 TTAB LEXIS 324, at *41 (“The continued existence of enthusiasts of the old Naugles food items does not negate the statutory presumption of abandonment.”)

IV. CONCLUSION

inXile respectfully submits that the Board should deny SJG’s Motion and grant Summary Judgment on the issues of abandonment and bona fide intent in favor of inXile.

Dated: March 16, 2017

Respectfully submitted,

/s/ Ronald P. Oines

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CERTIFICATION OF ELECTRONIC FILING

I hereby certify that the attached **APPLICANT'S OPPOSITION TO OPPOSER'S MOTION FOR SUMMARY JUDGMENT AND DECLARATIONS OF BRIAN FARGO AND RON OINES IN SUPPORT THEREOF** was filed electronically with the Trademark Trial and Appeal Board on March 16, 2017.

/s/ Susan Cook_____

CERTIFICATE OF SERVICE

I hereby certify that an [unredacted] copy of this document entitled **APPLICANT'S OPPOSITION TO OPPOSER'S MOTION FOR SUMMARY JUDGMENT AND DECLARATIONS OF BRIAN FARGO AND RON OINES IN SUPPORT THEREOF** was served by email on March 16, 2017, such being the Opposer's Domestic Representative and Correspondence as listed on the Notice of Opposition.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

STEVE JACKSON GAMES INCORPORATED	Opposition No. 91225722 Serial No. 86/702,458
Opposer, v. INXILE ENTERTAINMENT, INC. Applicant.	

**DECLARATION OF BRIAN FARGO IN SUPPORT OF INXILE'S OPPOSITION TO
STEVE JACKSON GAMES' MOTION FOR SUMMARY JUDGMENT**

I, Brian Fargo, declare as follows:

1. I am the founder and Chief Executive Officer of Applicant inXile Entertainment, Inc. ("inXile"). I make this declaration in support of inXile's Opposition to Steve Jackson Games Inc.'s ("SJG") motion for summary judgment in this proceeding. I make this declaration based on my own personal knowledge, and if called upon as a witness, I could and would competently testify thereto.

2. I have been in the computer gaming business my entire adult life. I started my first computer gaming company when I was still in high school and released my first game in 1981, the year I graduated high school. After high school, I worked for a short period of time as Vice President of Software Development for a computer gaming company. However, in 1983 I started another company, Interplay Productions, Inc., which I ran full time until I left Interplay in 2002. Shortly after I left Interplay, in 2002, I started inXile, and have been running inXile full time since then.

3. Since starting inXile, we have had released eighteen games, the most recent being Torment: Tides of Numenera, which was just released on February 28, 2017. The time from conception to actual release typically lasts at least a few years and can last up to several years. After I decide to create a new game at inXile, we typically exchange broad ideas for the game among me, the creative people, and game designers before actually going into production. This process can last many months and sometimes more than a year, depending in part on what other games are in production at the time and what resources are available. Exchanging and discussing broad concepts for a new game freely and without deadlines before moving deep into production allows my team to think creatively about the game, without the pressure of incurring significant costs associated with the actual production of the game. I have knowledge of other gaming companies' processes, and the process I describe above is fairly typical in the computer gaming industry.

4. At any given time, we normally have a pipeline of two or three games, although most of our time is focused on the development of our next to be released game. While we take on the enormous amount of work necessary to finish a game for release, we also have another game or two in the discussion and/or design stages. In 2015, we were very busy working to finalize and release Wasteland 2: Director's Cut. Through 2016 and into 2017, we have been very busy working on Torment: Tides of Numenera (which was released on February 28, 2017) and The Bard's Tale IV.

5. This Opposition proceeding involves inXile's intent to use application for "AUTODUEL" for "Providing online downloadable computer and video game programs; Interactive video game programs." At the time inXile filed its application on July 23, 2015, I was generally aware of the Origin Systems Autoduel computer game from the 1980s, but I knew that game had not been available for more than 20 years. I was not aware of any of SJG's prior uses of Autoduel in connection with its Car Wars game supplements, although I have become aware of those as a result of this Opposition proceeding. However, all of the uses of which I have become aware ceased approximately 20 years ago as well.

6. At some point in 2013, I became aware that a company called Big Boat Interactive had filed an intent to use application for "AUTODUEL" for "computer game software for personal computers and home video game consoles." At the time I learned of this, Maxx Kaufman was with Pixelbonic, which was working on a Kickstarter campaign with Big Boat Interactive for a computer game they intended to call "Autoduel." I learned from Mr. Kaufman that SJG objected to use of the name "Autoduel" and filed an Opposition to Big Boat Interactive's application for registration. I learned that Pixelbonic/Big Boat interactive decided it was easier to change the name than dispute the trademark issues over "Autoduel." At the time, Mr. Kaufman was also working part-time for inXile, but inXile was not involved in the Pixelbonic/Big Boat Interactive Kickstarter project. Mr. Kaufman discussed the issues with me, at which time I told Mr. Kaufman I thought he should pursue use of "Autoduel" because I thought SJG did not own trademark rights in that term. I still believe this to be the case.

7. Indeed, during that time period, I learned from searching the USPTO website that SJG had long ago abandoned its only registration for "AUTODUEL!" At some point, I also learned that on May 23, 2013, apparently due to Big Boat Interactive's trademark application filing, SJG filed an application to register "AUTODUEL" for "digital, downloadable, or electronic media; namely, text and graphic files of rules, maps, components, and supplements for family games, board games, and roleplaying games." SJG claimed a first use in commerce of "at least as early as 01/06/2005," which, based on what I have learned in this proceeding presumably referred to the time when SJG uploaded to www.warehouse23.com archived some of the back issues from the 1980s and early 1990s that included the word "autoduel."

8. On information and belief, on March 31, 2014, the Trademark Office issued a Notice of Abandonment of SJG's trademark application and, although the application was temporarily revived, the Trademark Office issued another Notice of Abandonment on November 28, 2014.

9. Based on the information of which I was aware, as of shortly before July 23, 2015, I knew Origin Systems had stopped selling the computer game Autoduel more than 20

years ago, and that SJG had abandoned all trademarks and trademark applications for "AUTODUEL." I was aware of no other uses of "AUTODUEL" by anyone. Therefore, as of shortly before July 23, 2015, I understood that the mark "AUTODUEL" was available.

10. I have considered for many years the possibility of developing a post-apocalyptic computer game that would include battling vehicles. This is a fairly popular genre whose themes have been in popular movies such as the Mad Max franchise. In 2015, I decided to proceed with the design and development of such a game, and after I confirmed that "Autoduel" was available for a name, I decided to name my game "Autoduel."

11. inXile filed its intent to use application in the United States on July 23, 2015. inXile has also filed trademark applications for "Autoduel" in Australia, Canada, China, Korea and the European Union. Shortly after we filed the application in the United States, a website that covers the gaming industry, apparently learned of our trademark filing and wrote a note about it. Others who cover the industry picked up on the note. After PC Gamer wrote an article about inXile's trademark application on October 22, 2015, the Redner Group, which does public relations for inXile, received a request for a comment about inXile's plans for the AUTODUEL game. At that time, I informed Redner Group that it was too early to comment. I typically do not comment on games that are early in the design process. Attached hereto as **Exhibit 1** is a true and correct copy of an October 22, 2015 email exchange between me and Jim Redner of the Redner Group.

12. At inXile, much of the design process involves informally and verbally sharing ideas and concepts for the games we have planned. We typically do not create a lot of documents in the early stages. Nonetheless, inXile has produced several documents in this case that confirm our intent to use "Autoduel."

13. Attached hereto as **Exhibit 2** is a true and correct copy of a November 11, 2015 email from me to others listed at inXile. In that email, I forwarded an article I had read on a gaming industry website, and commented to my design and development team: "It will be a fine line we walk with Autoduel for mobile when we decide to start designing it." I was referring to a

mobile phone version of Autoduel, which is one of the versions of the Autoduel game we are considering.

14. Attached hereto as **Exhibit 3** is a true and correct copy of an email from Eric Daily to me dated December 4, 2015. Mr. Daily is and was at the time a Producer at inXile. In his email, which has the subject line "Wasteland: Autoduel mobile," he refers to a conversation he overheard between me and "George," who is George Ziets, who was at the time and is a lead writer at inXile, about a mobile vehicular combat game, i.e., Autoduel. Mr. Daily was giving me some ideas for the Autoduel game we were and are planning.

15. Attached hereto as **Exhibit 4** is a true and correct copy of an email exchange on January 11, 2016 between Chris Keenan, who is and was at the time Vice President of Development at inXile, and me regarding the "mobile focused Autoduel product."

16. Attached hereto as **Exhibit 5** is a true and correct copy of a January 19, 2016 email from Thomas Beekers to me. Mr. Beekers was and is Creative Producer at inXile. Mr. Beekers forwarded some articles from the trade press regarding marketing initiatives. He noted "I suspect if we do wind up crafting a smaller title for mobiles in AutoDuel we'll have to heavily explore a lot of this more creative marketing"

17. Attached hereto as **Exhibit 6** is a true and correct copy of a February 18, 2016 email from Mr. Keenan to me. Mr. Keenan forwarded an article to me about "where the industry is headed" and noted: "Certainly will need to keep this in mind for Autoduel though."

18. Attached hereto as **Exhibit 7** are email exchanges between persons at Pixel Dash Studios and persons at inXile from April 5 through April 12, 2016. The emails refer to a proposal Pixel Dash made to inXile for Autoduel. Pixel Dash is an outside studio that was aware of inXile's plans for Autoduel and made the proposal in an effort to work with inXile on Autoduel. Pixel Dash's April 5, 2016 proposal is also attached hereto. One of the emails from Matt Findley of inXile notes that Mr. Findley had talked to me about Pixel Dash's proposal for Autoduel, and Mr. Findley was forwarding my general comments on their proposal.

19. Attached hereto as **Exhibit 8** is an email I received from Mr. Beekers on May 30, 2016, with which he attached a "pitch" for his ideas for the Autoduel game. The thirteen page pitch is also attached hereto.

20. On January 5, 2017, Mr. Daily sent me an email with some thoughts about using "Autoduel" and possibly including independent developers. At that time, we were approaching the release of Torment, so it would be normal for Mr. Daily to be thinking about other projects in the pipeline to turn his attention to. On that same day, I responded to Mr. Daily. I indicated that Mr. Beekers had already prepared an initial design for Autoduel and that we would bring Mr. Daily into the loop. Attached hereto as **Exhibit 9** is a true and correct copy of the January 5, 2017 email exchange.

21. As mentioned above, we just completed and released Torment at the end of last month. This frees up resources at inXile to focus on moving forward with other games in the pipeline. Shortly after the release of Torment, I formally assigned Mr. Daily as the Producer of Autoduel at inXile. As Producer, he will gather and work with the team at inXile to strategize, design and develop the Autoduel game.

22. inXile intended to use "Autoduel" for its game on July 23, 2015, and still intends to use it. On the other hand, although SJG claims it has continued to use the mark and intends to do so in the future, I have seen no evidence to support such a claim. I believe that SJG is simply trying to prevent others from using the name even though SJG has not used it for years and has no intent to use it.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 15th day of March, 2017, at Newport Beach, California.


Brian Fargo

EXHIBIT 1

Brian Fargo

From: Brian Fargo
Sent: Thursday, October 22, 2015 12:50 PM
To: Jim Redner
Cc: Thomas Beekers
Subject: Re: Autoduel?

Way too early to comment....

Brian Fargo
CEO/Leader inXile
2727 Newport Blvd. #200
Newport Beach CA 92663

> On Oct 22, 2015, at 2:44 PM, Jim Redner <jimredner@therednergroupp.com> wrote:

>

> Hey Folks

>

> Any comment on Autoduel?

>

> Seems like you are sparking fires.

>

> Let me know if you don't want to comment.

>

> Jim Redner

> theRednerGroup

> 323.217.4314

> PSN: therednergroupp1

> XBLA: therednergroupp1

> www.theRednerGroup.com

>

>

> -----Original Message-----

> From: Andy Chalk [mailto:andy.chalk@pcgamer.com]

> Sent: Thursday, October 22, 2015 12:42 PM

> To: Jim Redner <jimredner@therednergroupp.com>

> Subject: Autoduel?

>

> Hey Jim, it's Andy at PC Gamer. Any chance we could get a confirmation of/comment on reports that inXile has trademarked Autoduel (and which Brian Fargo tweeted about)?

>

> Thanks!

>

> Andy

>

>

> --

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EXHIBIT 2

EXHIBIT 2

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 3

EXHIBIT 3

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EYES ONLY INFORMATION**

EXHIBIT 4

EXHIBIT 4

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 5

EXHIBIT 5

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 6

EXHIBIT 6

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 7

EXHIBIT 7

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 8

EXHIBIT 8

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

EXHIBIT 9

EXHIBIT 9

**REDACTED – CONTAINS ATTORNEY'S
EYES ONLY INFORMATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

STEVE JACKSON GAMES INCORPORATED Opposer, v. INXILE ENTERTAINMENT, INC. Applicant.	Opposition No. 91225722 Serial No. 86/702,458
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**DECLARATION OF RON OINES IN SUPPORT OF INXILE'S OPPOSITION TO
STEVE JACKSON GAMES' MOTION FOR SUMMARY JUDGMENT**

I, Ron Oines, declare as follows:

1. I am a partner at the law firm of Rutan & Tucker, LLP, counsel of record for Applicant InXile Entertainment, Inc. ("inXile") in this matter. I am a member in good standing of the State Bar of California, and have been admitted to practice before several United States District Courts. I make this Declaration in support of inXile's Opposition to Steve Jackson Games Inc.'s ("SJG") motion for summary judgment in this proceeding. I make this declaration based on my own personal knowledge, and if called upon as a witness, I could and would competently testify thereto.
2. Attached hereto as **Exhibit 10** is a true and correct copy of a page printed from the USPTO website showing the cancellation of the Steve Jackson Games, Inc. mark "AUTODUEL!." The document was produced in this matter with Bates nos. INX000001-2.
3. Attached hereto as **Exhibit 11** is a true and correct copy of a document produced by SJG in this case relating to SJG's Kickstarter promotion for Car Wars Arenas.

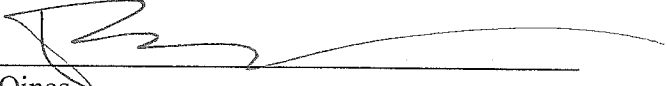
4. Attached hereto as **Exhibit 12** are true and correct copies of excerpts from the transcript of the deposition of Steve Jackson taken on July 1, 2016 in this matter.
5. Attached hereto as **Exhibit 13** is a true and correct copy of a document entitled "Where We're Going #10" which was produced by SJG in this matter with Bates nos. SJG001711-1719.
6. Attached hereto as **Exhibit 14** are true and correct copies of documents from "Warehouse 23" all of which were produced by SJG in this matter with the Bates nos. thereon.
7. Attached hereto as **Exhibit 15** is a true and correct copy of a documents entitled "Where We're Going" which was produced by SJG in this matter with Bates nos. SJG001740-1743.
8. Attached hereto as **Exhibit 16** are true and correct copies of documents produced by SJG in this matter with Bates nos. SJG000161-163 and SJG000166-170.
9. Attached hereto as **Exhibit 17** are true and correct copies of pages printed from a Steve Jackson Games website forum board from 2014, which were produced in this matter by inXile with Bates nos. INX000064-66.
10. Attached hereto as **Exhibit 18** are true and correct copies of Attorneys' Eyes Only excerpts from the transcript of the deposition of Phillip Reed taken on July 1, 2016 in this matter.
11. Attached hereto as **Exhibit 19** is a true and correct copy of a document entitled "Notice of Opposition" which SJG produced in this matter with Bates nos. SJG000529-530.
12. Attached hereto as **Exhibit 20** is a true and correct copy of emails produced by SJG in this matter with Bates no. SJG001244.
13. Attached hereto as **Exhibit 21** is a true and correct copy of documents I downloaded from the USPTO website, www.uspto.gov, regarding SJG's "Hipster Dice" trademark registration.
14. Attached hereto as **Exhibit 22** are true and correct copies of pages I accessed and printed from the Wikipedia website on March 13, 2017.

15. Attached hereto as **Exhibit 23** are true and correct copies of pages I accessed and printed from Steve Jackson Games website, www.sjgames.com, on March 13, 2017.

16. Attached hereto as **Exhibit 24** is a true and correct copy of a document from Warehouse 23 which was produced by SJG in this matter with Bates nos. SJG001974-74.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 16 day of March, 2017, at Costa Mesa, California.



Ron Oines

EXHIBIT 10

On April 22, 2016 TSDR will update the XML schema from version ST-96 1_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link. It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml. Questions may be directed to [the TSDR Mailbox](#).

STATUS DOCUMENTS MAINTENANCE

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Mark: AUTODUEL

No Image exists
for this case.

US Serial Number: 73421191

Application Filing Date: Oct. 04, 11

US Registration Number: 1293028

Registration Date: Sep. 04, 11

Register: Principal

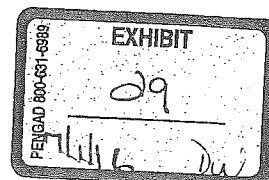
Mark Type: Trademark

Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8 on the Trademark Document Retrieval link at the top of this page.

Status Date: Jun. 11, 2005

Publication Date: Jun. 12, 1984

Date Cancelled: Jun. 11, 2005

Mark Information**Goods and Services****Basis Information (Case Level)****Current Owner(s) Information****Attorney/Correspondence Information****Prosecution History****Maintenance Filings or Post Registration Information**<http://tsdr.uspto.gov/>

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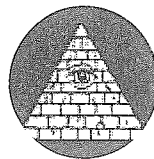
None, Registration is Cancelled or Expired

EXHIBIT 11



The most dangerous arenas in autodueling history, printed at full scale and ready to play.

More Car Wars!



Created by

Steve Jackson Games

1,697 backers pledged \$100,433 to help bring this project to life.

Rewards

Campaign

Updates 41

Comments 634

Community

EXHIBIT 12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

STEVE JACKSON GAMES)	Opposition No. 91225722
INCORPORATED,)	
Opposer,)	
)	
VS.)	
)	
INXILE ENTERTAINMENT,)	
INC.,)	
Applicant.)	Serial No. 86/702,458

ORAL DEPOSITION OF

STEVE JACKSON

JULY 1, 2016

ORAL DEPOSITION OF STEVE JACKSON, produced as a witness at the instance of the Applicant, and duly sworn, was taken in the above-styled and numbered cause on July 1, 2016, from 9:10 a.m. to 12:34 p.m., before Donna Wright, CSR in and for the State of Texas, reported by machine shorthand, at the offices of KING & SPALDING, LLP, 401 Congress Avenue, Suite 3200, Austin, Texas, pursuant to the provisions stated on the record or attached hereto.

A P P E A R A N C E S

FOR THE OPPOSER:

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Mr. Brandon Ross
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Roines@rutan.com

ALSO PRESENT:

Philip Reed

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STEVE JACKSON

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1 published Autoduel Quarterly, which was a --

2 THE REPORTER: What was the name of it?

3 THE WITNESS: Autoduel,

4 A-u-t-o-d-u-e-l -- that's one word, Autoduel -- and
5 then Quarterly.

6 Q. (BY MR. OINES) Well -- and what was the time
7 period that you published --

8 A. And --

9 Q. Oh, I'm sorry. Go ahead.

10 A. And Autoduel Quarterly, also called ADQ, was a
11 continuing game supplement for the Car Wars game.

12 Q. What was the -- what's the Car Wars game?

13 A. Car Wars was a game released -- it's one of
14 our -- one of our second wave of releases. So very
15 early, '80 or '81.

16 Q. I'm sorry. What year?

17 A. '80 or '81.

18 Q. What was Car Wars? Can you describe it?

19 A. Car Wars is a game about armed and armored
20 cars and combat on the freeways and in arenas and every
21 place else cars can go.

22 Q. How is the game played?

23 A. The players began by creating a vehicle for
24 themselves according to rules of the game and laying
25 out a game board which would represent the territory

1 being fought over. Then each player would place a
2 counter to represent his or her vehicle and, proceeding
3 in turns, each player would move according to the game
4 rules and according to the statistics bought for the
5 vehicle at the beginning of the game and fire weapons,
6 again, according to the statistics bought by the player
7 at the beginning of the game.

8 Q. And when someone bought a Car Wars game, where
9 did they buy it?

10 A. They might buy it by mail, since at the time
11 there was no online. The original Car Wars would have
12 been available in hobby shops certainly in the United
13 States, Canada, even in the early days then we had
14 England. And some book stores also carried the Car
15 Wars games because they were in a paperback book
16 format.

17 Q. Was the -- when you say Car Wars was in a
18 paperback book format, can you explain that?

19 A. Yes. The footprint of the game was
20 substantially the same as that of a paperback book so
21 it could be sold in a paperback book rack.

22 Q. You're talking about the size and shape of the
23 footprint --

24 A. Yes.

25 Q. -- the actual physical size of it?

1 Q. What was the Autoduel Quarterly you mentioned
2 a little bit ago?

3 A. Autoduel Quarterly was a Car Wars game
4 supplement published in magazine form, but carrying
5 dates 50 years in the future. The conceit of that was
6 the pretense that Autoduel Quarterly was a real
7 magazine from the future, which was -- was dedicated to
8 the practice of vehicular combat. It contained fiction
9 set in the period, it contained faux advertisements
10 for products in the game, which usually included stats
11 to make those items playable within the game. It
12 included scenarios and new rules and tournament -- and
13 tournament results.

14 Q. Faux tournament results?

15 A. Real tournament results.

16 Q. So like a Car Wars tournament in 1984, if you
17 had an Autoduel Quarterly magazine, it might include
18 the results of that particular tournament?

19 A. Yes.

20 Q. And I gather by the name that was a
21 four-times-a-year magazine?

22 A. Yes.

23 Q. What was the last issue of Autoduel Quarterly,
24 if you remember?

25 A. Well, I remember that it was No. 10/4, fourth

1 issue of the tenth year. I don't remember the exact
2 year.

3 Q. And the -- you said it had a date of -- kind
4 of a faux date of publication of 50 years in the
5 future; is that right?

6 A. Yes, that placed it as part of the continuity
7 of the game world which we were creating.

8 Q. So if the Autoduel Quarterly says 2036 on it,
9 that was published in roughly 1986?

10 A. Sounds right.

11 Q. When -- who came up with the name Autoduel
12 Quarterly?

13 A. I don't know.

14 Q. Was there some sort of Autoduel before you
15 started publishing the Autoduel Quarterly?

16 A. The first use of the word "Autoduel" as -- as
17 a product for the Car Wars world was in 1982.

18 Q. And what was that product?

19 A. That was a range of metal miniatures of little
20 cars.

21 Q. So actual physical metal cars?

22 A. Yes.

23 Q. And you called the cars themselves Autoduel?

24 A. The name of the range was Autoduel.

25 Q. How -- how was that range of cars sold?

1 A. In blister packages.

2 Q. And was this a -- these packages, were they
3 sold by themselves or did they accompany something
4 else?

5 A. They were individually sold.

6 Q. What was the intended purpose of this range of
7 cars?

8 MR. THOMPSON: Object to the form.

9 Q. (BY MR. OINES) You can answer.

10 A. Could you repeat the question?

11 Q. Sure. What was the intended purpose of this
12 range of cars you're referring to?

13 MR. THOMPSON: Same objection.

14 THE WITNESS: They were playing pieces.

15 Q. (BY MR. OINES) For what?

16 A. For the game Car Wars and for any other game
17 that a collector might use them for as is typical with
18 hobby miniatures.

19 Q. So -- and were these -- this range of cars,
20 they were actually sold by Steve Jackson Games,
21 Incorporated?

22 A. Yes.

23 Q. What time period were these cars sold?

24 A. The first sales were in 1982, and I don't know
25 how long that particular range continued.

1 Q. Were they sold into the 1990s?

2 A. I don't know how long.

3 Q. Who would know whether Steve Jackson Games,
4 Inc. sold a range of cars that it called Autoduel into,
5 let's say, 1990?

6 A. That's the kind of question that normally I
7 would -- I would try to answer by referring to records.
8 I don't know if any individual would know.

9 Q. Are there any records that would tell you when
10 Steve Jackson Games, Incorporated stopped selling the
11 range of cars that you're referring to?

12 A. I don't know. We are -- the business archives
13 do not go back to day one of opening.

14 Q. But as you sit here today, you don't have any
15 specific recollection of selling this range of cars
16 beyond the 1980s?

17 A. I don't --

18 MR. THOMPSON: Object to the form.

19 Go ahead.

20 THE WITNESS: Okay. I don't know when
21 that one was discontinued.

22 Q. (BY MR. OINES) So you can't -- you can't tell
23 me you know for certain that those cars were sold later
24 than the 1980s, right?

25 A. I don't know when they were discontinued.

1 Games, Incorporated at any time after this 1982/1983
2 time period?

3 MR. THOMPSON: Object to form.

4 THE WITNESS: I do not know how many
5 years they were sold.

6 Q. (BY MR. OINES) Okay. But I think, based on
7 your testimony, you know they were sold in 1982, you
8 know they were sold in 1983. You're not sure about
9 1984. Would you also say you're not sure they were
10 sold in any year after 1984?

11 MR. THOMPSON: Object to form.

12 THE WITNESS: Well, I -- the best answer
13 I can give is that I don't know when they were
14 discontinued.

15 Q. (BY MR. OINES) And -- and you don't recall
16 some point in time when the range of cars that Steve
17 Jackson Games, Incorporated referred to as Autoduel was
18 sold after this initial '82 to '83 time period?

19 MR. THOMPSON: Object to form.

20 THE WITNESS: No. I believe that we sold
21 them for several years, but I do not know -- I do not
22 know the date on which those sales ended.

23 Q. (BY MR. OINES) Okay. But what I'm -- what
24 I'm trying to understand is, you testified that they
25 were sold in '82, they were sold in '83, you're not

1 sure if they were sold in '84. And I'm just trying to
2 understand. Is there any time period after 1984, as
3 you sit here today, that you believe they were, in
4 fact, sold?

5 MR. THOMPSON: Object to form.

6 THE WITNESS: I believe that they were
7 sold for several years after the initial introduction,
8 but I do not know the years.

9 Q. (BY MR. OINES) Okay. Well, what do you mean
10 by "several years"?

11 A. I would suspect five, give or take two, but I
12 don't know. I can't testify as to the exact year they
13 quit.

14 Q. Okay. So you think it's possible they were
15 sold starting in 1982 and as many as five years, give
16 or take -- did you say two years or give or take
17 three years?

18 A. I believe what I said was give or take two,
19 but I'm speculating.

20 Q. Well, I don't want you to speculate, but I
21 think you're the person that would know if anyone knew,
22 right?

23 MR. THOMPSON: Object to the form.

24 Q. (BY MR. OINES) Would anyone know better than
25 you would know the answer to these questions?

1 know?

2 A. I don't know.

3 Q. In the 1980s?

4 A. Probably.

5 Q. Was GURPS Autoduel ever modified in any way?

6 A. Supplemented and modified --

7 Q. How was that --

8 A. -- both.

9 Q. How was GURPS Autoduel modified?

10 A. There was a second edition.

11 Q. And how was GURPS Autoduel supplemented?

12 A. By various smaller books. One of them was
13 Zombietown, USA, but the numerous supplements comprised
14 a series called the AADA Road Atlas and Survival Guide.
15 They described in more detail in people, places, and
16 things of the world described in GURPS Autoduel. We
17 also at one point released a map of -- of what is now
18 the United States and in the -- and in the 50-year
19 forward future is different and less pleasant.

20 Q. When were these road atlases published?

21 A. Well, after GURPS Autoduel, of course. I
22 can't give you a timeframe. I think that a lot of that
23 information is in the materials that we produced.

24 Q. What was -- I think you mentioned Autoduel
25 Champions. What was that?

1 A. I -- I'm sorry. I stepped on you.

2 Q. What was that?

3 A. Okay. Autoduel Champions was a role-playing
4 book, which was basically designed to allow game
5 masters and players to play in the world of -- of the
6 Car Wars/Autoduel future history using the Champions'
7 rule set.

8 Q. The Champions was another rule?

9 A. Yeah. Champions -- yes, Champions is another
10 rule set.

11 Q. Is that a rule set that was specific to this
12 Autoduel Champions, or was that something that's more
13 broad but was applied to this Autoduel --

14 MR. THOMPSON: Object to the form.

15 Q. (BY MR. OINES) -- role playing?

16 MR. THOMPSON: Object to form.

17 Q. (BY MR. OINES) Do you understand the
18 question?

19 A. Yes. Champions was a broader role-playing
20 system.

21 Q. So a role-playing book like -- would you say
22 Autoduel Champions was a role-playing book similar
23 to -- similar to the GURPS Autoduel role-playing book?
24 In other words, what they included in them -- in those
25 books, were they generally the same types of

1 information?

2 MR. THOMPSON: Object to the form.

3 THE WITNESS: Both books had background
4 information about the Car Wars Autoduel world, future
5 history, but the included rules material was very
6 different because Champions and GURPS are different
7 systems.

8 Q. (BY MR. OINES) So I think so far we have the
9 word "Autoduel" used in connection with a range of
10 metal miniature cars, used in the role-playing book
11 GURPS Autoduel, used in Autoduel Quarterly magazines,
12 used in a second edition of GURPS Autoduel, and used in
13 connection with these road atlases and survival guides
14 you referred to, and used with Autoduel Champions.

15 Are there any other items in which you --
16 Steve Jackson Games, Incorporated used the word
17 "Autoduel"?

18 A. I think I mentioned the map, and I believe the
19 title of that was the Autoduel America Map.

20 Q. That's something different from the road
21 atlases?

22 A. Yes.

23 Q. Any other items you can think of that Steve
24 Jackson Games, Incorporated used the term "Autoduel"
25 on?

1 you thumb through Exhibit 2 and tell me if you
2 recognize any of these documents? Do you recognize
3 Exhibit 2?

4 A. Yes.

5 Q. What is Exhibit 2?

6 A. This is a collection of printouts from our
7 website to specifically our sales arm, Warehouse 23,
8 offering for sale all 40 issues of Autoduel Quarterly
9 in digital form.

10 Q. When you say "digital form," you mean PDFs?

11 A. I believe that they're PDFs.

12 Q. And these are essentially just PDFs of the
13 back issues of the Autoduel Quarterly, the first one of
14 which was published in March of 1983? You can look on
15 the first page to -- if you need to confirm that.

16 A. Yes.

17 Q. And if you go to the last page of Exhibit 2, I
18 believe you testified that the last issue of Autoduel
19 Quarterly was Issue No. 10 -- I'm sorry, Volume 10,
20 No. 4, correct?

21 A. 10/4.

22 Q. And that was published in the winter of 1992?

23 A. That appears to be what this says.

24 Q. And Autoduel Quarterly was never published
25 after the winter of 1992, correct?

1 A. No new issues appeared. It remained available
2 in print or digital form or both.

3 Q. Why did Steve Jackson Games, Inc. stop
4 publishing Autoduel Quarterly after the winter of 1992?

5 A. It seemed that it was time in the Car
6 Wars/Autoduel product cycle to stop with the magazine.

7 Q. Do you know why it seemed like it was time to
8 stop?

9 A. We had seen a drop in circulation. We had
10 seen a loss of some key staff. I was concerned a
11 little bit about the -- the -- the possible sameness.
12 I wanted to see some things fresh.

13 Q. Meaning you wanted to see new and different
14 things at Steve Jackson Games, Incorporated?

15 A. I -- I wanted Car Wars to stay fresh if there
16 was --

17 Q. And did you -- did Steve Jackson Games,
18 Incorporated continue to sell Car Wars-related --
19 continue to publish new Car Wars-related material?

20 A. We -- well, I've already -- already testified
21 about the Autoduel Quarterly and road atlas series.
22 The -- the Car Wars line has been continuously in print
23 in one form or the other since its inception and the
24 Autoduel mark has been in continuous use, as we've
25 shown in the documents we produced, since its first use

1 also offered its own mail-order service. I'm not
2 certain of the latter.

3 Q. So if it was sold in computer game stores in
4 1985, is that long enough ago to be on a floppy disk?

5 A. In -- yes, that's long enough ago to be on a
6 floppy disk.

7 Q. Do you know if the Origin Systems game was
8 ever made available on any other form of media or form
9 of storage, like a CD or something?

10 A. It was published in a number of versions, and
11 I don't know what the media was in all of them.

12 Q. Has -- has Steve Jackson Games, Incorporated
13 ever used the word "Autoduel" in connection with online
14 downloadable computer or video games?

15 A. Online downloadable computer or video games.
16 I don't believe so.

17 Q. Or any interactive video game programs?

18 MR. THOMPSON: Object to the form.

19 THE WITNESS: Any online video games?
20 That was a partial sentence. If you will repeat the
21 question, I'll do my best with it.

22 Q. (BY MR. OINES) Sir, is -- well, let me ask it
23 this way. Has Steve Jackson Games, Incorporated, ever
24 used the word "Autoduel" in connection with any online
25 downloadable computer games or video games?

Steve Jackson, 7/1/2016
Jackson v. Inxile Entertainment

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CHANGES AND SIGNATURE

WITNESS NAME: STEVE JACKSON

DATE OF DEPOSITION: JULY 1, 2016

PAGE	LINE	CHANGE	REASON
17	22	add "and" between "Fire" and "Movement"	Correction
17	25	" "	" "
67	5	"Gamoff"	two Ts

91

Steve Jackson, 7/1/2016
Jackson v. Inxile Entertainment

I, STEVE JACKSON, have read the foregoing
deposition and hereby affix my signature that same is
true and correct, except as noted above.

Steve Jackson
STEVE JACKSON

THE STATE OF TEXAS)

COUNTY OF TRAVIS)

Before me, ELISABETH B ZAKES, on this day personally
appeared STEVE JACKSON, known to me (or proved to
me under oath or through _____) (description
of identity card or other document) to be the
person whose name is subscribed to the foregoing
instrument and acknowledged to me that he executed
the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this
9TH day of AUGUST, 2016.



ELISABETH B ZAKES
Notary ID # 126857003
My Commission Expires
January 18, 2020

Elisabeth B. Zakes
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My commission expires: JAN 18, 2020

 No Changes Made ☒ Amendment Sheet(s) Attached

STEVE JACKSON GAMES VS. INXILE ENTERTAINMENT, INC.

92

1 before the completion of the deposition and that the
2 signature is to be before any notary public and
3 returned within 30 days from date of receipt of the
4 transcript. If returned, the attached Changes and
5 Signature Page contains any changes and the reasons
6 therefore:

7 _____ was not requested by the deponent or a
8 party before the completion of the deposition.

9 I further certify that I am neither counsel
10 for, related to, nor employed by any of the parties or
11 attorneys in the action in which this proceeding was
12 taken, and further that I am not financially or
13 otherwise interested in the outcome of the action.

14 Certified to by me on this, the 20th day of
15 July, 2016.

17 *Donna Wright*

18
19 Donna Wright, CSR No. 1971
20 Expiration Date: 12-31-2017
21 ADVANCED DEPOSITIONS
22 17752 Skypark Circle, Suite 100
23 Irvine, California 92614
24 (855) 811-3376
25 Firm Registration No. 724

EXHIBIT 13

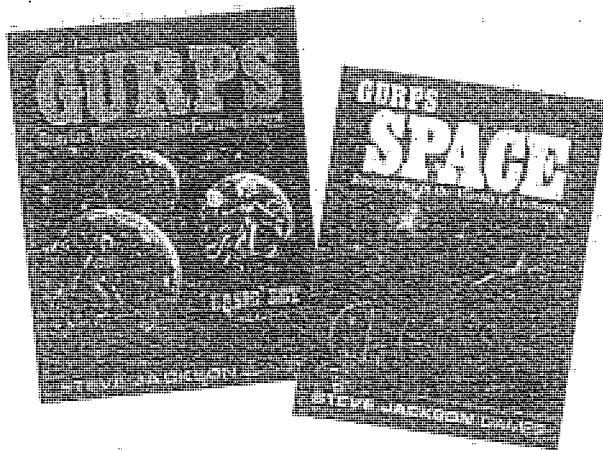
Where We're Going

Trade News from Steve Jackson Games

October 1989

Number 11

GURPS Wins Three Awards



Our top two 1988 releases both received national awards at this year's *Origins*, the national gaming convention. The third edition of *GURPS*, the *Generic Universal Roleplaying System*, was named Best Roleplaying Game of 1988. *GURPS* is a roleplaying system designed to work in any background — past, present, future, real or fictional. Written by Steve Jackson, it has already sold some 37,000 copies. Over 40 different worldbooks and other supplementary products are available, including licensed material for *Conan*, *Wild Cards*, *Witch World* and other popular science fiction and fantasy series.

GURPS Space, the science-fiction worldbook for *GURPS*, was named Best Roleplaying Supplement of 1988. Written by

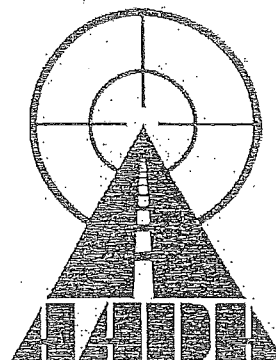
Steve Jackson and William A. Barton, *GURPS Space* is a guide for the reader or gamer who wants to create his own detailed, consistent science fiction universe, complete with scientifically-correct solar systems.

The Origins Awards are given annually by GAMA, the Game Manufacturers Association, to recognize achievement in different categories of game publication. Nominations are made by professionals in the gaming field. The final vote is open to all fans of gaming, making it a meaningful indicator of popular acceptance.

The *GURPS Basic Set*, Third Edition also received the *Gamers Choice* award for Best Fantasy Roleplaying Game of 1989. The awards are given annually at GenCon to recognize achievement in different categories of game publication.

Store-Sponsored AADA Chapters

Although several retail stores have been sponsoring chapters of the American Autoduel Association (AADA — our *Car Wars* players' club) for some time, they now receive a little better deal from us for their trouble. Stores can form a chapter from members who regularly buy their issues from the store. In the past we've used the direct subscriber list to verify that chapter members were buying *Autoduel Quarterly*. Now a store needs only to provide us with a copy



of their standing order or a letter from their distributor verifying that they purchase five or more copies of each issue of *Autoduel Quarterly*. This way we know the members have access to all official chapter information. In addition to information published in the magazine, we send a quarterly newsletter directly to all AADA chapters.

The advantages to a retail store in sponsoring an AADA chapter include promotional materials from us, a reason to bring members into the store, and a promotional vehicle for tournaments, demos, etc. held at the store. AADA chapters can playtest new *Car Wars* products and participate in Club Championships that can qualify them for the AADA World Championships held at *Origins*. Regional Champions and World Champions receive trophies and prizes. If you'd like more information about store-sponsored AADA chapters, drop us a line.

In This Issue

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Where We're Going is published bi-monthly by Steve Jackson Games Incorporated, Box 18957, Austin, TX 78760

SJG001712

New Products From Steve Jackson Games



There've been lots of great new products out since the last issue of *Where We're Going*. Here's a list of the September releases — did you miss any?

GURPS Wild Cards

6026

\$16.95

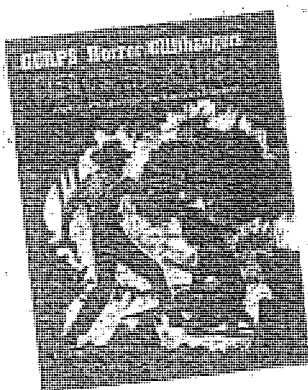
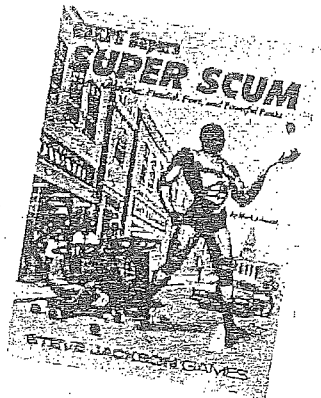
GURPS Wild Cards brings a new dimension to super-roleplaying. It's based on the best-selling *Wild Cards* science fiction series edited by George R.R. Martin. This worldbook includes complete background information and game stats for dozens of the "Wild Cards" characters, both good and evil. It's written by John Miller, one of the original *Wild Cards* authors, and features a beautiful, wrap-around cover.

Super Scum

6111

\$8.95

Super Scum is a collection of 30 super-powered villains for *GURPS Supers*. Each villain has a complete character description and background. They're ready to wreak mayhem in your campaign. *Super Scum* was written by Mark Johnson. The cover is by Alan Gutierrez.



Chaos in Kansas

6110

\$6.95

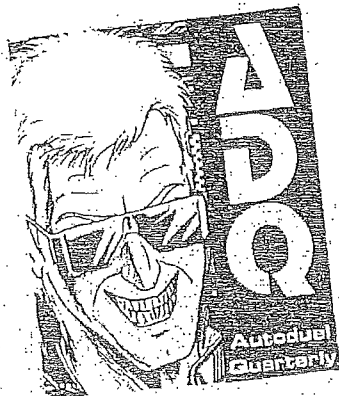
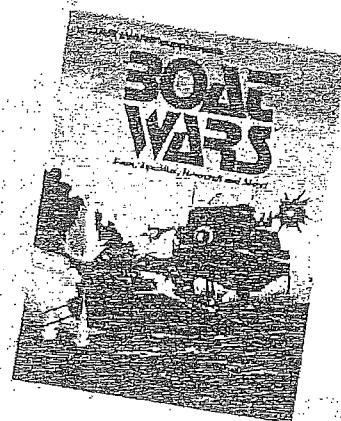
Chaos in Kansas is an adventure for either *GURPS Horror* or *GURPS Cliffhangers*. Sinister secrets threaten America's heartland. The characters' mission is to thwart the evil designs of *The Dire Dreamer*. *Chaos in Kansas* was written by James Hurst. The cover is by Miro Sinovic.

Boat Wars

1307

\$19.95

Boat Wars, the *Car Wars* game of battling boats, reappears — this time, in a large boxed format! It includes four maps, an 8½"×11" full-color counter sheet, and an expanded rulebook. *Boat Wars* includes the hovercraft rules for *Car Wars*. New material in this edition includes sharks, aquabikes, new counters and new gadgets — such as the exploding duck decoy.



Autoduel Quarterly Volume 7 Issue 3

8727

\$3.50

Autoduel Quarterly Volume 7 Issue 3 — Check out the newest issue of the one and only official *Car Wars* magazine in its sporty new size.

A Place to Start

If you've never sold games before, just choosing which products to stock can be intimidating. We sell well over 100 different games and game supplements. Fortunately, there's no need to stock it all when you're just beginning. You should stock a few items, see how they do with your customers and then expand. We've put together two suggested lists for answering the all-important question — *Where do I start?* The first list is our suggestion for your very first order. Once you've tried these items, add the second list, adjusting if necessary for your customers and store design. Once you've established a regular customer base, add additional products a few at a time.

Basic Products

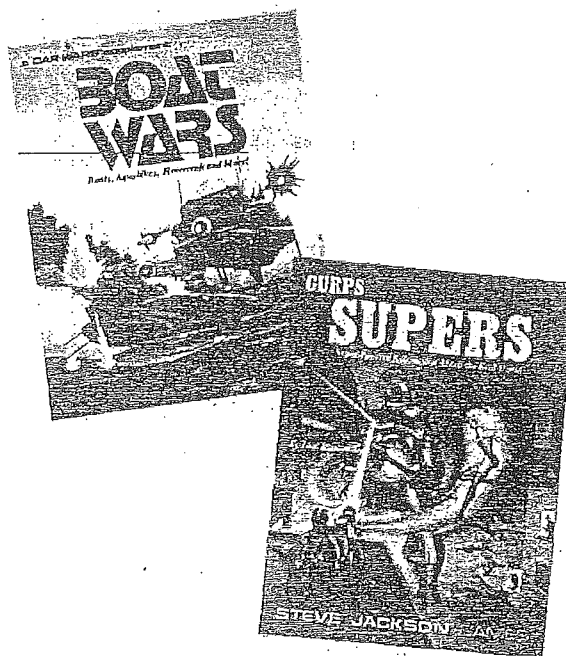
<i>Car Wars Deluxe Edition</i>	Stock #1301	\$24.95
<i>Car Wars Compendium</i>	Stock #7142	\$16.95
<i>Boat Wars</i>	Stock #1307	\$19.95
<i>Autoduel Quarterly</i>	Current Issue	\$ 3.50
<i>GURPS Basic Set</i> , Third Edition	Stock #6022	\$19.95
<i>GURPS Space</i>	Stock #6005	\$16.95
<i>GURPS Supers</i>	Stock #6017	\$14.95
<i>GURPS Swashbucklers</i>	Stock #6019	\$12.95
<i>GURPS Magic</i>	Stock #6023	\$14.95
<i>GURPS Wild Cards</i>	Stock #6026	\$16.95
<i>Roleplayer</i>	Current Issue	\$ 2.00
<i>Illuminati Deluxe Edition</i>	Stock #1305	\$19.95

The Next Step

<i>Uncle Albert's 2035 Catalog</i>	Stock #7116	\$ 5.95
<i>Uncle Albert's 2036 Catalog</i>	Stock #7124	\$ 5.95
<i>Uncle Albert's 2039 Catalog</i>	Stock #7140	\$ 5.95
<i>Autoduel America Maps</i>	Stock #7143	\$ 8.95
<i>GURPS Witch World</i>	Stock #6008	\$16.95
<i>GURPS Conan</i>	Stock #6012	\$16.95
<i>GURPS Bestiary</i>	Stock #6011	\$14.95
<i>GURPS Space Atlas</i>	Stock #6500	\$ 8.95
<i>GURPS Space Atlas 2</i>	Stock #6501	\$ 8.95
<i>Ogre Deluxe Edition</i>	Stock #1303	\$19.95
<i>Toon</i>	Stock #1203	\$ 9.95

Changes in Roleplayer

Roleplayer, the *GURPS* newsletter, is bigger and prettier. We've added a two-color cover and it's now up to 16 pages. The cover price is also up — to \$2.00. This new style is easier to display, resists shelfwear and is more eye-catching. And it supports the entire *GURPS* line, maintaining your customers' interest. We think you'll like it!



Free Stuff! Free Stuff!

All of the items listed below are available to retailers and distributors upon request. We appreciate your feedback on which promotional items are most useful for generating sales.

GURPS Errata — Nobody likes mistakes, but part of supporting a system this large is acknowledging our mistakes and fixing them. The latest errata sheets are available upon request.

Ogre Blueprint posters — This very popular poster features a blueprint-style cut-away drawing of an Ogre Mark V.

Distributor/Retailer Catalog — This catalog shows suggested retail prices, covers and descriptions of our games. It's a must if you take special orders.

Product mini-posters — We have 8 1/2" x 11" mini-posters of many of our products. They're perfect for displaying on shelf ends and other places where space is at a premium.

Out of Print

Here is a quick update on the items that are currently out of print. First, here is a list of items that are only temporarily out of print. They will be reprinted over the next few months, often with updates and new material.

G.E.V. Stock #1107
We will have a new packaging for *G.E.V.* It will probably be a Designer's Edition with *Ogre*, *G.E.V.*, *Shockwave* and the scenarios from the *Ogre Reinforcement Pack* in the same box. We'll keep you posted on the details.

The Awful Green Things
From Outer Space Stock #1111
Although the Pocket Box games have been discontinued, *The Awful Green Things From Outer Space* will be back in a boxed edition. Look for it in December.

The Ogre Book Stock #3201
We may do a new, larger *Ogre Book* sometime next year. It will include both old and new material in a much larger book.

GURPS Fantasy Stock #6001
This book is being heavily revised. The magic system portion of the book appeared in a revised and expanded format in *GURPS Magic*. The world background for Yrth, our own fantasy world will be presented in the new *GURPS Fantasy*.

GURPS Autoduel Stock #6003
The guide to roleplaying in the world of *Car Wars* is being revised to be compatible with the *GURPS Basic Set*, Third Edition and *GURPS High-Tech*.

GURPS Horror Stock #6004
Since much of the material from the first edition of *GURPS Horror* was included in the *GURPS Basic Set*, Third Edition, we're doing a revised edition. We won't include any of the material now available in the *Basic Set* but we'll be adding new things, including lots of new monsters.

Up Harzburg! Stock #6202
The corrected version of *Up Harzburg!* will be available in early 1990. The first edition was recalled this spring.

GURPS Reference Screen Stock #6403
We'll be updating the reference screen to reflect the new material in the *GURPS Basic Set*, Third Edition.

GURPS Blank Character Sheets Stock #6404
We'll be bringing back this popular little *GURPS* product in December. This printing will be a booklet. See details on p. 6.

GURPS Space GM Packs Stock #6405
This product will be reprinted and should be available over the next few months.

Car Wars Map Sheets Stock #7109
We're deciding how to repackage the *Car Wars Map Sheets* now that we've discontinued the ziplock bag format. They'll probably be done in a shrinkwrapped package like *Car Wars City Blocks*.

AADA Vehicle Guide 2 Stock #7128
We aren't sure how we'll be packaging the *Vehicle Guides*. They will probably be done in an 8 1/2" x 11" format. It won't be available until next year.

Uncle Albert's 2038 Catalog Stock #7130
This book will be handled the same way we're handling the *AADA Vehicle Guide 2*. As soon as we decide what that will be, we'll let you know.

Car Wars Deluxe Reference Screen Stock #7132
We'll be updating the reference screen to reflect the new material in the *Car Wars Compendium* before reprinting it.

Uncle Albert's Grab Bag Stock #7135
We don't have any concrete plans for another *Uncle Albert's Grab Bag* but when we have a large enough assortment of *Car Wars* items available, we'll do it again.

Car Wars City Blocks 1 Stock #7136
We haven't decided whether to reprint the *City Blocks* sets or not. We may do them later next year.

Murphy's Rules Stock #9000
The second printing of *Murphy's Rules* will be available in October. For more information, see *October Releases* on p. 5.

Illuminati Pins Stock #9002
We are making more of these popular little pins. They'll be available before Christmas — probably in late October or early November.

Although we won't be reprinting any of the *Car Wars Expansion Sets* in their current formats, we will be using information and components from them in new *Car Wars* products.

The following are out of print. No reprint is planned.

<i>Raid on Iran</i>	Stock #1101
<i>One-Page Bulge</i>	Stock #1102
<i>Kung Fu 2100</i>	Stock #1103
<i>Car Wars</i> (Pocket Box edition)	Stock #1104
<i>Undead</i>	Stock #1105
<i>Ogre</i> (Pocket Box edition)	Stock #1106
<i>Illuminati</i> (Pocket Box edition)	Stock #1108
<i>Battlesuit</i>	Stock #1109
<i>Necromancer</i>	Stock #1110
<i>Globber</i>	Stock #1202
<i>Man to Man</i>	Stock #1204
<i>Cardboard Heroes Set 5: Undead</i>	Stock #2105
<i>Game Design Book</i>	Stock #3101
<i>Black Bases</i>	Stock #5101
<i>White Bases</i>	Stock #5102
<i>GURPS Basic Set</i> , First and Second editions	Stock #6000
<i>Orcslayer</i>	Stock #6002
<i>Truck Stop</i>	Stock #7103
<i>Illuminati Expansion Set 1</i>	Stock #7104
<i>Illuminati Expansion Set 2</i>	Stock #7105
<i>Autoduel Champions</i>	Stock #7107
<i>Car Wars Expansion Set 5</i>	Stock #7112
<i>Car Wars Deluxe Road Sections Set 2</i>	Stock #7118
<i>Car Wars Expansion Set 7</i>	Stock #7120
<i>Car Wars Expansion Set 8</i>	Stock #7122
<i>Car Wars Expansion Set 9</i>	Stock #7123
<i>Car Wars Expansion Set 10</i>	Stock #7125
<i>Car Wars Kill Stickers</i>	Stock #7127
<i>Shockwave</i>	Stock #7201
<i>Ogre Reinforcement Pack</i>	Stock #7202
<i>Convoy</i>	Stock #7401
<i>Toon Strikes Again</i>	Stock #7601
<i>Uncle Albert's Calendar</i>	Stock #9001

Coming Soon

We've got lots of great new products coming your way over the next few months. If a previously-announced product doesn't appear here, it probably hasn't disappeared entirely. It just means that we're solving a problem and it will be reannounced later. We'll keep your distributors posted on exact release dates and new developments.

October Releases

<i>Deathwish</i>	6112	\$ 6.95
<i>GURPS Special Ops</i>	6029	\$16.95
<i>GURPS Riverworld</i>	6028	\$16.95
<i>Midville</i>	7144	\$14.95
<i>Murphy's Rules</i> (reprint)	9000	\$ 6.95
<i>Roleplayer 16</i>	8316	\$ 2.00

Deathwish is a heavy metal band with a dangerous secret — they're all super-powerful villains! It's also a new *GURPS*



Supers adventure by Loyd Blankenship. The cover is by John Dismukes.

GURPS Special Ops lets you relive the heroism and excitement of "special operations" teams. Counterterrorism, hostage rescue, and operations behind enemy lines are typical missions. *GURPS Special Ops* was written by Greg Rose.

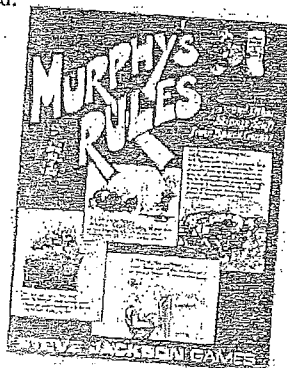
GURPS Riverworld brings to life the award-winning science fiction

creation of Philip José Farmer. On the Riverworld, everyone who has ever lived is reborn. You can meet (or play the part of) any historical figure you choose! *GURPS Riverworld* was written by Joe Caparula. The cover is by Alan Gutierrez.

Midville brings you "The Toughest Little Town In America!" In Midville, the Mondos rule and cycle gangs fear to tread. Written by Charles Oines, this *Car Wars* supplement includes a 24-page book of scenario information, counters and four big 21" x 32" maps. Two of them were originally printed in *Car Wars Expansion Set 3*; the others are brand-new. The entire package is shrinkwrapped.

Murphy's Rules is back by popular demand! Enjoy this zany, light-hearted look at gaming. This reprinted book will be back on your shelves in time for the holiday season.

Roleplayer continues to be the best, up-to-date source for information on the *GURPS* system. The newsletter now features a two-color cover and has been enlarged to 16 pages.



November Releases

<i>GURPS Prisoner</i>	6030	\$12.95
<i>Conan: Moon of Blood</i>	6206	\$ 6.95
<i>GURPS Basic Set, Third Edition Hardcover</i>	6031	\$29.95
<i>Muskogee Mayhem</i>	7145	\$14.95
<i>Space Atlas 3: The Chaiyorn Empire</i>	6502	\$ 8.95

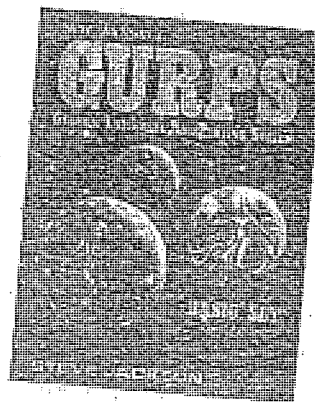
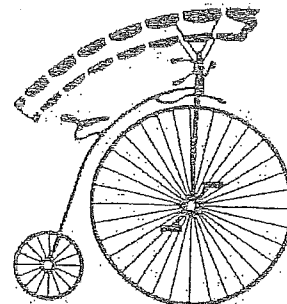
GURPS Prisoner is your guide to the classic British television series. Although only 17 episodes of *The Prisoner* were originally aired, the show quickly gained an enormous following. This is a world where *nothing* is quite what it seems and enemies can't be told from friends. *GURPS Prisoner* was written by David Ladyman.

Conan — Moon of Blood is a solo adventure in which the player becomes the mighty Conan (or creates an equally powerful hero) and braves the dangers of the Hyborian Age. *Moon of Blood* was written by W.G. Armintrout.

GURPS Basic Set, Third Edition Hardcover — The award-winning Third Edition of the *GURPS Basic Set* is now available in a sturdy, hardcover edition. It's the same great game in a more durable package.

Muskogee Mayhem brings you "Family Fun at the Fatal Fairgrounds." This set includes a 24-page book of scenario information and four 21" x 32" arena maps of the Muskogee Fairground and Family Emporium. They'll liven up any *Car Wars* campaign. The rulebook, written by Creede Lambard has additional material by Scott D. Haring and David N. Searle. It'll be shrinkwrapped in an 8 1/2" x 11" package, just like *Midville*.

Space Atlas 3 — The Chaiyorn Empire brings you a powerful space empire and new alien races for *GURPS Space*. It was written by W.G. Armintrout and Jovialis.

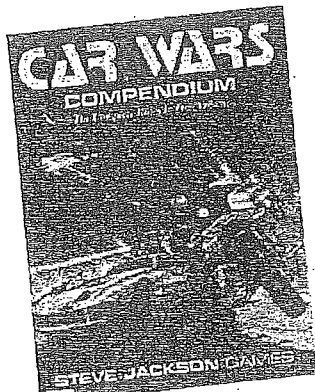


December Releases

<i>GURPS Ultra-Tech</i>	6032	\$16.95
<i>Supertemps</i>	6406	\$ 8.95
<i>The Awful Green Things From Outer Space</i> (new larger boxed version)	1308	\$19.95
<i>GURPS Blank Character Sheets</i>	6404	\$ 6.95
<i>Car Wars Vehicle Record Sheets</i>	7146	\$ 6.95
<i>Autoduel Quarterly</i> , Volume 7 Issue 4	8728	\$ 3.50
<i>Roleplayer 17</i>	8317	\$ 2.00
<i>GURPS Space</i> (reprint)	6005	\$16.95
<i>Car Wars Compendium</i> (reprint)	7142	\$16.95

GURPS Ultra-Tech is packed with gadgets, weapons, armor and more for tech levels 8 to 16. It's the perfect sourcebook to use with *Space*, *Cyberpunk*, and *Time Travel* campaigns. The 128-page book was written by David Pulver.

Supertemps is a collection of supers for hire. These are the temps to call for the really tough jobs! The 64-page book of *GURPS Supers* characters was written by Mark Johnson.



The Awful Green Things From Outer Space is back! This popular game by Tom Wham is now available in a boxed edition. The game continues to be one of the best selling boardgames in the United Kingdom and has long been a favorite in the U.S.

GURPS Blank Character Sheets are back as well. This handy supplement includes 64 double-sided character sheets for *GURPS* bound into a book, perforated for easy removal. They're just the ticket for anyone who enjoys creating characters for the award-winning roleplaying game.

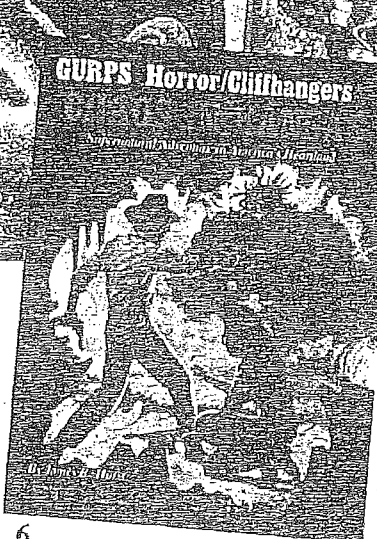
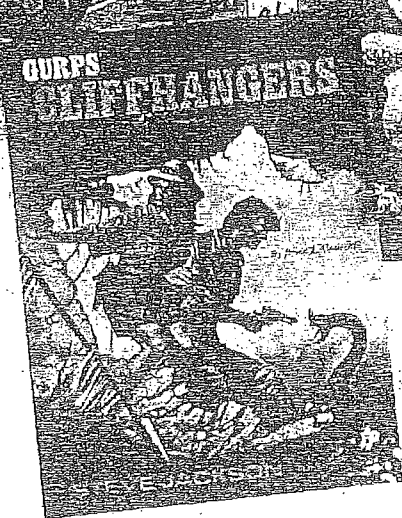
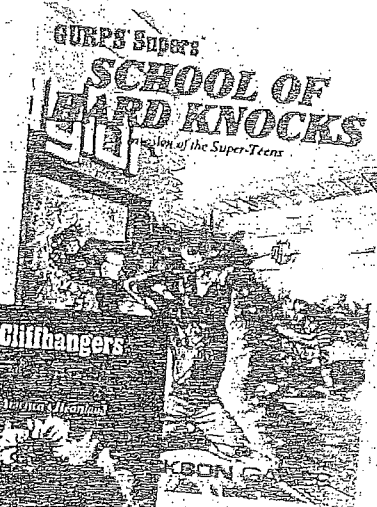
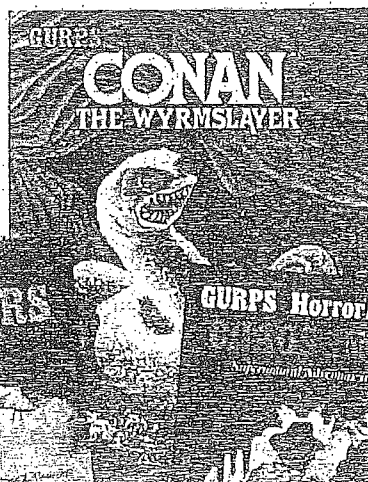
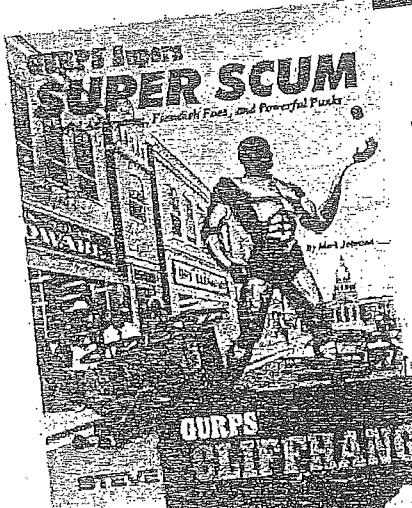
Car Wars Vehicle Record Sheets brings you enough sheets to design 64 of your own winning *Car Wars* vehicles. It includes sheets for many types of vehicles bound into a handy book, perforated for easy removal.

Autoduel Quarterly, Volume 7 Issue 4 rounds out the first year of the *Car Wars* magazine in its new, larger size. It includes all the latest news, articles, and adventures for *Car Wars*.

Roleplayer 17 brings you 16 pages of the latest news for *GURPS*, the Generic Universal RolePlaying System.

GURPS Space, winner of the Origins award for best roleplaying supplement, will appear in its second printing this month. It continues to be a favorite worldbook.

Car Wars Compendium has been so popular that we're already reprinting it. The second printing will be available in December.



On the Drawing Board

There are lots of new products on the drawing board. Unfortunately there are too many variables for us to say exactly when these products will be released. We'll let you know as soon as we can. We're still learning how to project time on products and balance lead time on informing you about product with being sure we're correct! In the meantime, here is a glimpse of the projects we'll be working on for later this year.

We'll continue working on our licensed products. You'll see more products for the *Horseclans*, *Wild Cards*, *Humans*, *Witch World* and *Conan* licenses. We've also got writers working on books for *Krishna*, *Prisoner* and *Uplift*.

GURPS Mecha brings the popular giant fighting robots to *GURPS*. The book is being written by John Nowak, the author of the *AADA Road Atlas and Survival Guide Volume One: The East Coast*.

There are more *Road Atlases* in the works. We'll probably be doing some City Atlases too.

We're also working on books for fantasy and science fiction races for *GURPS*. We'll be doing sourcebook collections like the *Space Atlas* series for spaceships, higher tech level weapons and espionage equipment.

We'll continue doing *Car Wars* and new games as well.

Our Favorite Quotes

GURPS is a system that never loses sight of what the whole thing is meant to be about, and that makes it as easy and satisfying as possible to have fun roleplaying.

GM Magazine, June 1989 — An Overview of Steve Jackson Games' *GURPS* by Chris Elliott and Richard Edwards

GURPS was the kind of system I was looking for and quickly adopted it, leaving D&D behind. I like the character generation and combat system as well as IQ rolls and magic.

— Monti Smith, Price, UT

The *GURPS* Gamebook is coherent. The rules are realistic, wide-ranging, and well-considered. If this game doesn't redefine roleplaying, I'll be surprised.

— Ben Lagow, Atlanta, GA

GURPS is fantastic! This is the next generation RPG where game mechanics are in the background and you can concentrate on roleplaying. *GURPS* is the best integrated system by far! You guys deserve awards!

— Ben Sim, West Point, NY

Great idea — a universal game system. Why didn't someone come up with this before. I shudder when I think of all the money I wasted and time spent on learning new rules.

— David Hibbard, Upland, CA

Absolutely the best thing about the system is its emphasis on replay and character interaction — it's encouraged in a manner I've never seen equalled. This is truly an RPG for mature players.

— David Ellis Dickerson, Tucson, AZ

GURPS is the finest roleplaying system I've seen. From the first time I read the *Man to Man* rulebook, I was entranced by the simultaneous detail and playability of the rules. The system remains detailed, playable, and fully integrated. *GURPS* is truly a masterpiece.

— David Gross, Ithaca, NY

Whether playing basic or advanced rules *GURPS* is the most flexible and fun system I've ever played no matter what tech levels I play.

— Mike Highley, Camptonville, CA

Our Favorite Letters

Hey Guys,

Outstanding job on *GURPS Basic* Third Edition and *GURPS Space*! They were just what I was looking for. The main reason I really like *GURPS* is because it's so universal and portable. "Room" for anything's hard to find when you live in a locker aboard an aircraft carrier!

When I was on leave a month ago, I couldn't help but notice *GURPS*. It was all over the place! It was also what I was looking for — and I didn't need a hundred different supplements to make it worth playing. I also didn't have to buy a whole new system for different backgrounds — outstanding!

Thanks again,
ASMAN Scott M. Bruhn

Dear Scott,

Thanks for the kind words. A happy customer makes our day. We also send our thanks to Barrits Hobby Shop in Santa Rosa, CA for having all that *GURPS* stuff when you were looking for a new game.

Conventions

These are some of the conventions that we will be attending. If you would like to meet us while we're visiting your city, please let us know. We can often arrange signings or presentations at your stores if you talk to us in advance. We hope to see you there!

Toronto, Canada; October 28-29, 1989, *Adventure 89*. Loyd Blankenship is a guest of the convention.

Chicago, IL; November 2-5, 1989, *Chicago Radio Control, Model and Hobby Show*. Anne Bennett and Sharleen Lambard will be attending.

Greenville, SC; March 23-25, 1990, *Magnum Opus Con*. 5. Steve Jackson is a guest.

Stonybrook, NY; March 30-April 1, 1990, *I-Con IX*. Steve Jackson is a Gaming Guest of Honor.

Baton Rouge, LA; April 20-22, 1990, *Swampcon 9*. Steve Jackson is a Gaming Guest of Honor.

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Games, Box 18957, Austin, TX. You can also place orders by phone at (512) 447-7866 or by FAX at (512) 447-1144. Ask for Anne Bennett or Sharleen Lambard. Remember — distributor orders must be placed in multiples of 6. The minimum order quantity is 36 on each new item.

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October Releases

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<i>GURPS Special Ops</i>	6029	\$16.95	_____
<i>GURPS Riverworld</i>	6028	\$16.95	_____
<i>Midville</i>	7144	\$14.95	_____
<i>Murphy's Rules</i> (reprint)	9000	\$ 6.95	_____
<i>Roleplayer 16</i>	8316	\$ 2.00	_____

November Releases

<i>GURPS Prisoner</i>	6030	\$12.95	_____
<i>Conan — Moon of Blood</i>	6206	\$ 6.95	_____
<i>GURPS Basic Set</i> , Third Edition			
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<i>Muskogee Mayhem</i>	7145	\$14.95	_____
<i>Space Atlas 3 —</i>			
<i>The Chaiyorn Empire</i>	6502	\$ 8.95	_____

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<i>The Awful Green Things</i>			
<i>From Outer Space</i>			
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<i>GURPS Blank</i>			
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<i>Car Wars Vehicle</i>			
<i>Record Sheets</i>	7146	\$ 6.95	_____
<i>Autoduel Quarterly</i>			
<i>Volume 7 Issue 4</i>	8728	\$ 3.50	_____
<i>Roleplayer 17</i>	8317	\$ 2.00	_____
<i>GURPS Space</i> (reprint)	6005	\$16.95	_____

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CONVOY
A CAR WARS Role-Playing Scenario
by Steve Jackson and David Ladyman

Steve Jackson Games / Car Wars / Autoduel Quarterly

Autoduel Quarterly #1/1

★★★★☆ (4)

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This is the very first *Autoduel Quarterly*, the *Car Wars* magazine, published in March, 1983. It features "Convoy," a scenario by Steve Jackson and David Ladyman, plus Aaron Allston's look at Midville, OH, the home of the *Sunday Drivers* supplement. All that plus vehicle designs, new equipment courtesy of Uncle Albert, letters, columns, and rules answers in ADQ&A. Drive Offensively!

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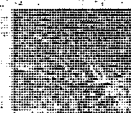
Car Wars Midville



Car Wars Convoy

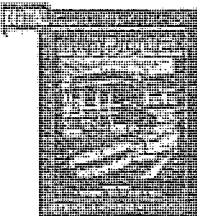


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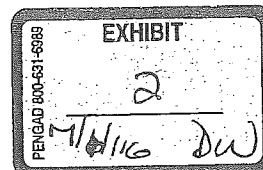
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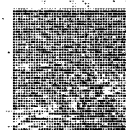
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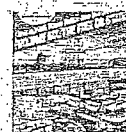


Autoduel Quarterly is the official *Car Wars* magazine; Issue 1/2 was published in July, 1983. It features "Nightstrike," a complete scenario, plus Aaron Allston's look at Austin, TX, for the North American Road Atlas and Survival Guide. All that plus vehicle designs, new equipment courtesy of Uncle Albert, letters, columns, and rules answers in ADQ&A. Drive Offensively!

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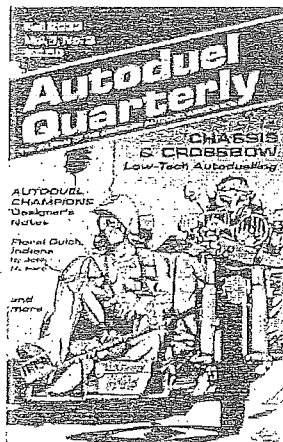


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Autoduel Quarterly is the official *Car Wars* magazine; Issue 1/3 was published in September, 1983. It features "Chassis & Crossbow," a look at the early days of autoduellling with a complete scenario, *Autoduel Champions* designer's notes from Aaron Allston, plus John M. Ford's look at Floral Gulch, IN, for the North American Road Atlas and Survival Guide. All that and vehicle designs, new equipment courtesy of Uncle Albert, letters, columns, rules answers in ADQ&A, and more! Drive Offensively!

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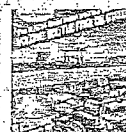


Autoduel Quarterly is the official *Car Wars* magazine; Issue 1/4 was published in November, 1983. It features "Maniac," a complete solo adventure, Aaron Allston's advice on anti-cycle gang tactics, plus a look at New Tulsa, OK, for the North American Road Atlas and Survival Guide. All that and vehicle designs, new equipment courtesy of Uncle Albert, letters, columns, rules answers in ADQ&A, and more! Drive Offensively!

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Car Wars Classic



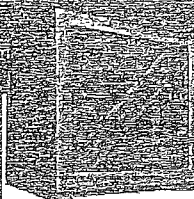
AADA Road Atlas V6: The Free Oil States



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Autoduel Quarterly kicked off its second year with Issue 2/1 in early 1984. The issue featured the first details on the official American Autoduel Association, the club for *Car Wars* fans, plus a complete solo adventure, *Car Wars* fiction from Jim Lowmyre, new vehicle designs, weapons, and gadgets, and a look at Twin Cities, MN, for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, and more! Drive Offensively!

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Car Wars Classic



AADA Road Atlas
V5: The Midwest

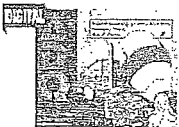


Autoduel Quarterly
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Autoduel Quarterly
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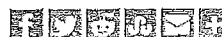
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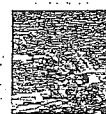
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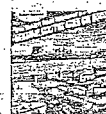


Autoduel Quarterly Issue 2/2 was published in July, 1984. The issue featured *Car Wars* referee hints from Steve Jackson: "Badlands Run," a complete multi-encounter scenario by Scott Haring and Jim Gould; an article on Amateur Night tactics; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and a look at Arlington, TX, for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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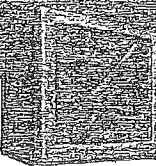
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Autoduel Quarterly Issue 2/3 was published in the fall of 1984. The issue featured three *Car Wars* mini-scenarios; advanced optional rules for fire; "Serendipity," a *Car Wars* short story; the debut of ten-wheeled trucks; advice on triple-scaling your game components for more visually exciting game; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and a look at Boston, MA, for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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Car Wars Classic



AADA Road Atlas V1: The East Coast



Uncle Albert's 2035 Catalog



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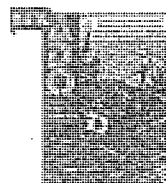
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Autoduel Quarterly #10/3



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Autoduel Quarterly #10/4



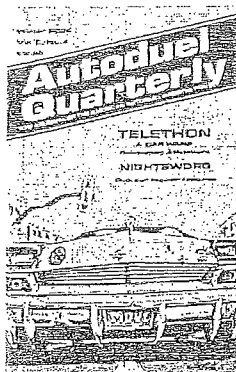
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Autoduel Quarterly Issue 2/4 was published in the winter of 1984. The issue featured "Telethon," a complete scenario by Scott Haring; Car Wars fiction from John Nowak; articles on trailers in Car Wars, critical hits, and tournament duelling strategy; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and a look at Canada for the North American Road Atlas and Survival Guide (with bonus rules for duelling on snow and ice). All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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The AADA Vehicle Guide Volume 2 Counters



Uncle Albert's 2035 Catalog



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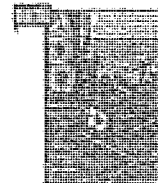
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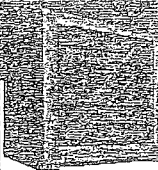
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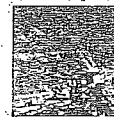
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Autoduel Quarterly is the official *Car Wars* magazine. Issue 3/1 was published in the spring of 1985. It features "Grand Theft Autoduel," a complete scenario, plus articles on grenades and driving off semi assault ramps, and a look at Boulder, CO, for the North American Road Atlas and Survival Guide. All that plus vehicle designs, new equipment courtesy of Uncle Albert, letters, columns, and rules answers in ADQ&A. Drive Offensively!

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Car Wars Classic



*AADA Road Atlas
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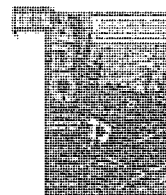
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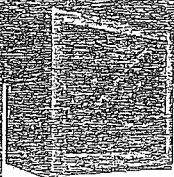
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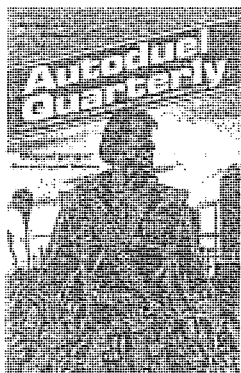


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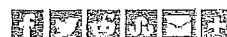
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Autoduel Quarterly Issue 3/2 was published in the summer of 1985. The issue featured "Doppelganger," *Car Wars* fiction from John Nowak; a sneak peak at the upcoming *Deluxe Car Wars*; an article on biker tactics; an interview with Uncle Albert about his new catalog; four mini-scenarios; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and a look at Western Kentucky for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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Car Wars - Deluxe Edition



AADA Road Atlas V3: The South



Uncle Albert's 2035 Catalog



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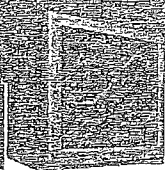
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Autoduel Quarterly #3/3

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Autoduel Quarterly Issue 3/3 was published in the fall of 1985. The issue featured "Alkalest," one of the best pieces of *Car Wars* fiction ever, from John M. Ford, complete with gaming notes; articles on kamikaze and tow trucks; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and two chapters from the North American Road Atlas and Survival Guide - Central Palm Beach, FL, and the Desert Autonomous Region. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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AADA Road Atlas
V3: The South



AADA Road Atlas
V7: Mountain West



Uncle Albert's 2035
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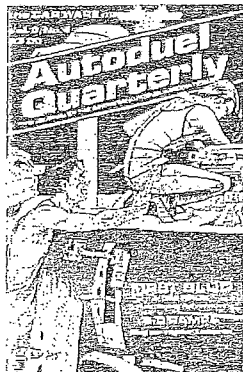


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Autoduel Quarterly Issue 3/4 was published in the winter of 1985. The issue featured "First BLUD," a *Car Wars* scenario from Scott Haring that introduced Big League Unlimited Duelling, a splinter group out to wipe out the AADA; "Checker's Pizza," *Car Wars* fiction from Brian Upson; articles on ramps and racetrack arenas; plus the usual new vehicle designs. AADA news, new weapons and gadgets, and a look at Cumberland, MD, for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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AADA Road Atlas
V1: The East Coast



AADA Road Atlas
V7: Mountain West



Car Wars Arena
Book



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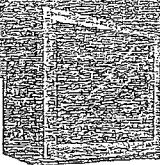
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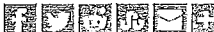
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Autoduel Quarterly Issue 4/1 was published in the spring of 1986. The issue featured "Midwest Passage," a *Car Wars* scenario by Scott Haring; a second scenario left out of *Car Wars Expansion Set 8: Chopper Challenge*, "Search and Destroy"; an article on bandit tactics and an interview with Origin Systems' Lord British and Chuckles about the new *Autoduel* computer game; plus the usual new vehicle designs, AADA news, new weapons and gadgets, and a look at Fresno, CA, for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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Car Wars Expansion Set 8: Chopper Challenge

AADA Road Atlas V2: The West Coast

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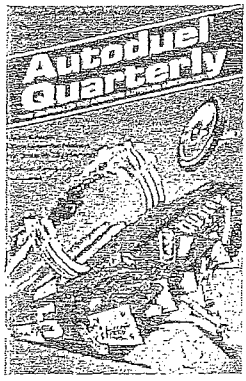


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Autoduel Quarterly Issue 4/2 was published in the summer of 1986. The issue featured Designer's Notes for the new *Dueltrack* supplement for *Car Wars* by Sean Haring, along with two mini-scenarios; *Car Wars* fiction from Andrew Egan; an article on the Death Scouts; and a look at the District of Columbia for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more! Drive Offensively!

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Dueltrack

AADA Road Atlas V1: The East Coast

AADA Road Atlas V2: The West Coast

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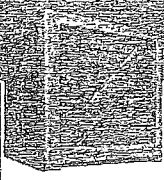
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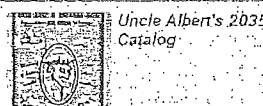
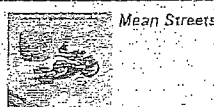
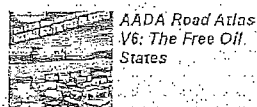
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Autoduel Quarterly Issue 4/3 was published in the fall of 1986. This was the special Texas Bicentennial issue, and it featured a whole set of Texas-themed autoduellling scenarios by Allen Varney, plus *Car Wars* fiction from John Noval, and Scott Haring's look at Houston, TX for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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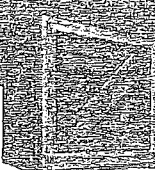
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Autoduel Quarterly Issue 4/4 was published in the winter of 1986. It featured Designer's Notes for GURPS Autoduel by co-author (and ADQ editor) Scott Haring, five mini-scenarios for Car Wars, rules for hospitalization and recovery from injury and playing an entire corporate team instead of a single duellist, plus a look at the Greater Lafayette, IN, area for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

THE COMBINED



GURPS Classic:
Autoduel



AADA Road Atlas
V5: The Midwest



Uncle Albert's 2035
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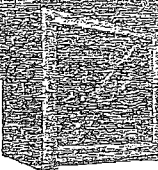
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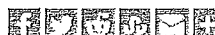
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Autoduel Quarterly Issue 5/1 was published in the spring of 1987. It's a special variant issue as editor Scott Haring turned loose all those crazy articles for very unofficial ideas that have been begging to be published! Snowmobiles! Airships! Mortars! Weapon durability and maintenance rules! Advanced maneuvering system! Stretch limos! And some ideas that are just plain crazy... plus a look at Peoria IL for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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AADA Road Atlas
V5: The Midwest



Car Wars Autoduel



Uncle Albert's 2035
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Car Wars Classic

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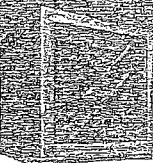
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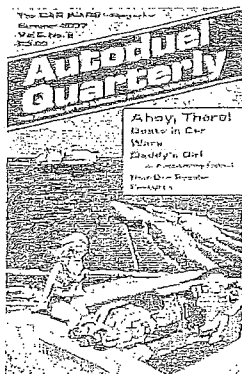


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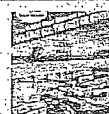
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Autoduel Quarterly Issue 5/2 was published in the summer of 1987. It featured complete rules for boats in the Car Wars system, and "Daddy's Girl," Car Wars fiction from Ramona Richards. Steve Jackson also contributed an article on how to design solo adventures for Car Wars that could also be used for other games. All that, plus a look at southeast Louisiana for the North American Road Atlas and Survival Guide, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Boat Wars



AADA Road Atlas
V6: The Free Oil
States



Car Wars Classic



Uncle Albert's 2035
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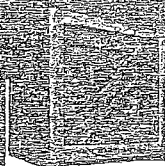
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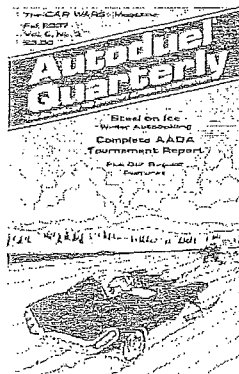
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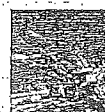


Autoduel Quarterly Issue 5/3 was published in the fall of 1987. The cover story was a new set of rules for autodueling on ice and snow, complete with new equipment and four complete mini-scenarios using the new rules. The issue also has *Car Wars* fiction from Douglas Carey, rules for overloaded vehicles, and complete results from the 1987 *Car Wars* World Championships. All that, plus a look at Los Angeles, CA for the North American Road Atlas and Survival Guide, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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AADA Road Atlas
V2: The West
Coast



Car Wars Classic



Uncle Albert's 2035
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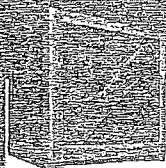
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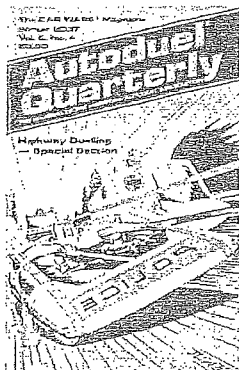


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Autoduel Quarterly Issue 5/4 marks the beginning of the Stephen Beeman era as editor of *ADQ*, and was published in the winter of 1987. A special section on highway duelling had articles on long-distance racing, variant power consumption rules, highway survival, and highway encounters. There were also two pieces of *Car Wars* fiction, plus a look at the Buffalo/Niagara Falls, NY, area for the North American Road Atlas and Survival Guide. All that and letters, columns, rules answers in *ADQ&A*, Uncle Albert's, and more!

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Car Wars Classic



AADA Road Atlas V1: The East Coast



Uncle Albert's 2035 Catalog



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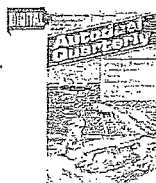
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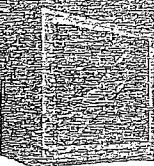
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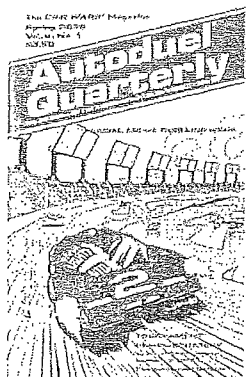


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VIEW IN DIGITAL EDITION



Autoduel Quarterly Issue 6/1 was published in the spring of 1988. The "Special Arena Duelling Issue" had articles on parimutuel wagering on arena combats, two articles on arena vehicle design, extremely unofficial rules on dragons in Car Wars, Designer's Notes for Vehicle Guide 2, an interview with the man behind Gold Cross, and a recap of the game's fire rules. All that, plus letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

RECOMMENDED



The AADA Vehicle Guide Volume 2



Car Wars Arena Book



Uncle Albert's 2035 Catalog



Car Wars Classic

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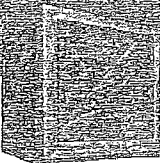
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Autoduel Quarterly Issue 6/2 was published in the summer of 1988. It featured "When Duty Calls," *Car Wars* fiction with gaming stats, plus a complete alternate maneuvering system, and "Magic in *Car Wars*," a much-requested compilation of goofy ideas from old issues of the much-beloved *Space Gamer* magazine. All that, plus a look at Coronado, CA, for the North American Road Atlas and Survival Guide, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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AADA Road Atlas
V2: The West Coast



Car Wars Classic



Uncle Albert's 2035
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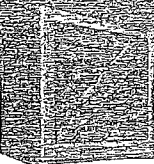
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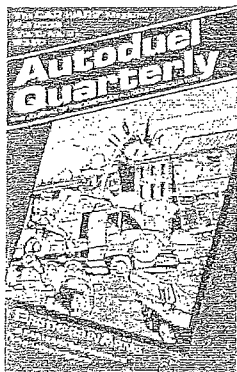


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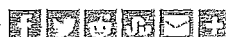
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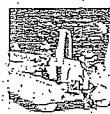


Autoduel Quarterly Issue 6/3 was published in the fall of 1988. It featured "Brothers in Arms," a huge, solo adventure that takes up nearly half the issue, along with some new arenas, a detailed report of the 1988 AADA World Championships complete with photos of the action, and articles on the tactics of deception and what your opponent can tell about your vehicle from a visual inspection. All that, plus letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Arena Book



Car Wars Combat Showcase



Uncle Albert's 2035 Catalog



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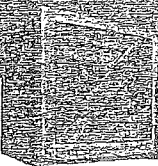
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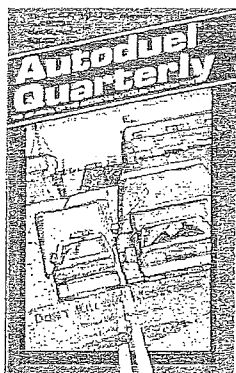
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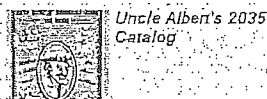
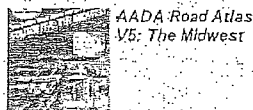
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Auto Duel Quarterly Issue 6/4 was published in the winter of 1988. It featured three mini-scenarios ready to play and two new arenas ready for duelling action, advanced tactics articles for convoys and cyclists, designer's notes for the newest vehicle type in *Car Wars* - hovercraft - tips on duelling on a budget, and "Don't Kill the Messenger," *Car Wars* fiction from Christopher Burdette. All that, plus a look at Schaumburg, IL for the North American Road Atlas and Survival Guide, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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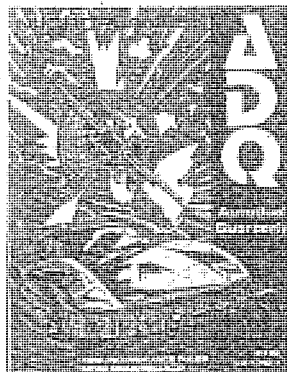


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Autoduel Quarterly Issue 7/1 was published in the spring of 1989. The cover story was "Microplanes," an article introducing a new vehicle type to *Car Wars*, but this first-ever full-size issue of *Autoduel Quarterly* was full of all kinds of great articles, including: "Black Gold Blues," a complete scenario, and three more mini-scenarios, all ready to play; articles on cloning, drawbridges, buying a new car, electronic warfare, and micro training; and variant rules for encumbrance and new skills. All that, plus letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Aeroduel



Car Wars Classic



Uncle Albert's 2035 Catalog



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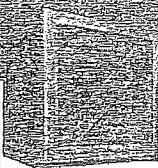
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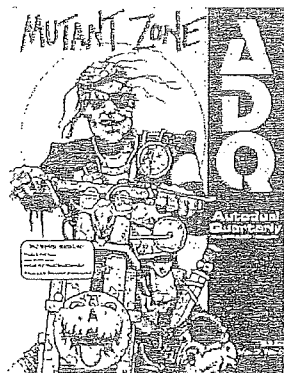


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Autoduel Quarterly #7/2

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Autoduel Quarterly Issue 7/2 was published in the summer of 1989. It featured the scenarios "Mutant Zone," "Hoverball," and "Air Raiders," and the Car Wars story, "Rise of the Phoenix." "ObRacing" is a look at another death sport of the autoduellling age, and "State of the Art" takes a look at just how the technology of autoduellling works in 2039. All that, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Autoduel



Car Wars - Muskogee Mayhem



Autoduel Quarterly #7/4



Car Wars Classic

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Autoduel Quarterly Issue 7/3 was published in the fall of 1989. It featured articles on pedestrian combat tactics and racing tips, a detailed report of the 1989 AADA World Championships, a Car Wars short story called "And, Of Course, It Was Black," more on the latest technology in autoducelling in 2039, rules for strafing and rocket fire from aircraft, and a complete scenario for microplanes. All that, plus letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Aero duel



Car Wars Classic



Uncle Albert's 2035 Catalog



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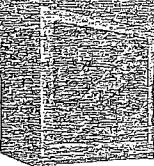
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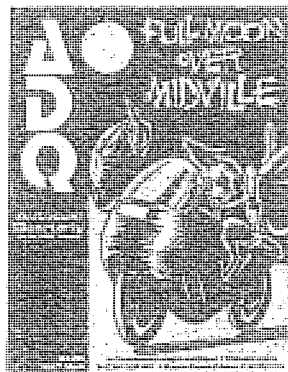


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Autoduel Quarterly Issue 7/4 was published in the winter of 1989. It featured "Full Moon Over Midville," a complete scenario with a horror theme using the Midville map and zombies, werewolves, and creepy monsters galore! Other articles covered cybernetics in *Car Wars*, the winning entries in the design contest for obstacle racing, "Death From Above," a mini-scenario using boats, hovercraft, helicopters, and microplanes, and a look at the taxicab in the world of autoduellling. All that, plus Arcan Watch, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Midville



Car Wars Aeroduel



Car Wars
Expansion Set 8 -
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Boat Wars

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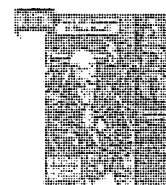
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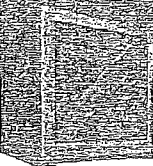
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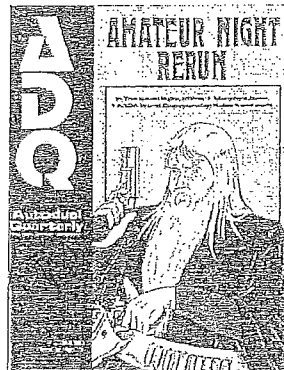


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Autoduel Quarterly #8/1

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Autoduel Quarterly Issue #1 was published in the spring of 1990, and features two pieces of Car Wars fiction: "Amateur Night Rerun" by Leslie Fish, and "Right of Way" by Dan Lambert. The rest of the magazine was filled with the usual new vehicle designs, letters, columns, rules answers in ADQ&A, and more!

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Car Wars Classic



The AADA Vehicle Guide



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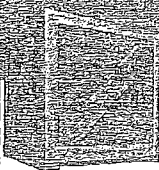
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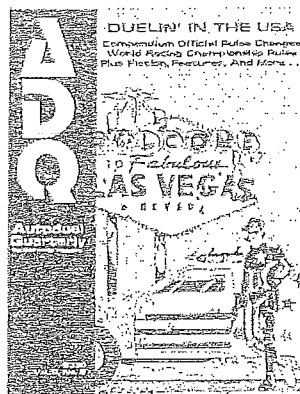
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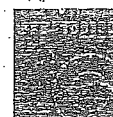
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Autoduel Quarterly Issue #8/2 was published in the summer of 1990. It featured "Duelin' in the USA," a set of eight mini-scenarios set in different parts of the U.S.; "Angel of Mercy," Car Wars fiction by Laura Tripoli; and a look at the rules changes that the Second Edition of the Car Wars Compendium would be bringing to the game. All that plus a report from the 2040 World Racing Championships, another chapter from the AADA Road Atlas and Survival Guide, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars
Compendium



AADA Road Atlas
V2: The West
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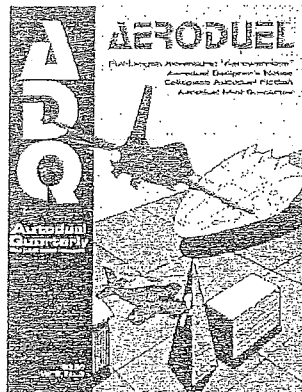
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Autoduel Quarterly Issue #8/3 was published in the fall of 1990. It featured *Aeroduel*, the latest *Car Wars* supplement from Steve Jackson Games, and included mini-scenarios, Designer's Notes, and the full-length scenario "Aerowarriors" for the new aircraft expansion set. The issue also included articles on safely traversing the lands of the Native American Alliance, Emergency Vehicles in *Car Wars*, and two pieces of short fiction. All that, plus letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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Car Wars Aeroduel



Uncle Albert's 2035 Catalog



Car Wars Classic



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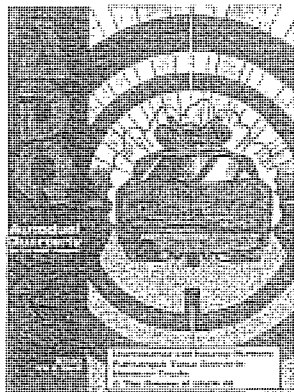
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Autoduel Quarterly Issue #8/4 was published in the winter of 1990. It featured a full-length scenario for the new *Car Wars Tanks* supplement, plus Designer's Notes by Craig Sheeley. Other articles included Monster Trucks in *Car Wars*, a look at mercenaries in the autoduellling world, and "The Bounty Hunter," *Car Wars* fiction by Kurt Bush. All that, plus ArenaWatch, an AADA Road Atlas and Survival Guide look at Philadelphia, PA, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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[Car Wars Tanks](#)

[AADA Road Atlas V1: The East Coast](#)

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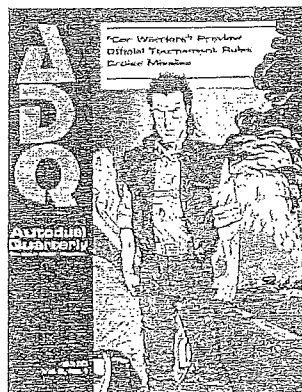
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Autoduel Quarterly #9/1

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Autoduel Quarterly Issue 9/1 was published in the spring of 1991, and the cover story features *Car Warriors*, the four-issue Marvel Epic mini-series comic based in the *Car Wars* universe. Other articles include a look at new official AADA tournament rules and some strategy tips to take advantage of those new rules, cruise missiles in *Car Wars*, and "Meeting the Inlaws," fiction by Andrew Metzger. All that, and an *AADA Road Atlas and Survival Guide* look at Overland Park, KS, plus new vehicle designs, letters, columns, rules answers in ADQ&A, and more!

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AADA Road Atlas
V5: The Midwest



Car Wars Classic



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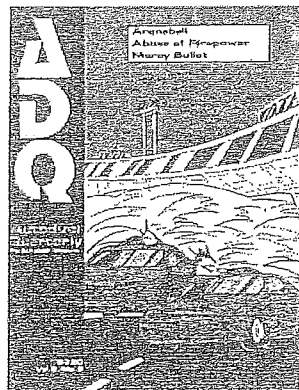
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Autoduel Quarterly #9/2

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Autoduel Quarterly Issue 9/2 was published in the summer of 1991. It featured "Arenaball," a complete scenario for Car Wars that's actually an entire new game - part autoduellling part roller derby part soccer. It also includes the use of military firepower in autoduellling arenas - where it's legal, where it isn't, and how it's being regulated; and "Mercy Bullet," fiction by Karol Szolvani. All that plus another chapter from the AADA Road Atlas and Survival Guide, Arena Watch, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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ARENA BOOK Car Wars Arena Book

TANKS Car Wars Tanks

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Car Wars Classic

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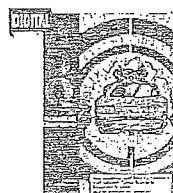
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Autoduel Quarterly #9/3

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Autoduel Quarterly Issue #9/3 was published in the fall of 1991. As a "Special Halloween Issue," it featured an article on building a Car Wars-legal hearse, dressing up an arena for those special Halloween events, and a very unofficial variant called "Vampire Cart." On top of that, there are 13 mini-scenarios in "Dnelling in the U.S.A. II," and "Epilogue," Car Wars fiction by Robert Garita. All that, plus an AADA Road Atlas and Survival Guide look at Fredericksburg, VA, Arena Watch, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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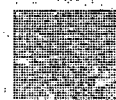
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AADA Road Atlas V1: The East Coast



Uncle Albert's 2035 Catalog



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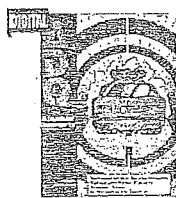
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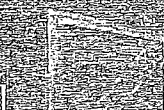
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Steve Jackson Games / Car Wars / Autoduel Quarterly

Autoduel Quarterly #9/4

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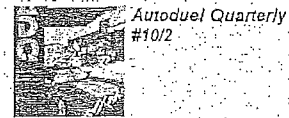
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Autoduel Quarterly Issue 9/4 was published in the winter of 1991. The feature story was "Road Trip," *Car Wars* fiction by Laura Tripoli. The issue also had a full-length scenario by *Car Wars* fan favorite Craig Sheeley, "The Great ASP Hunt: The Final Chapter," and a look at the special rules and organization of the collegiate autoduellling scene. All that, plus ArenaWatch, an *AIDA Road Atlas and Survival Guide* look at Mercer County, NJ, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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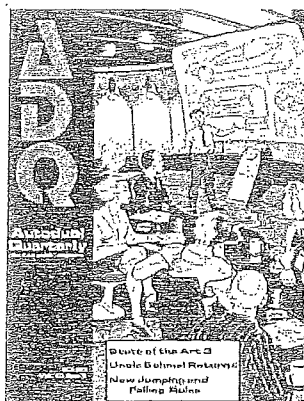
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Autoduel Quarterly Issue 10/1 was published in the spring of 1992, and the cover story is "State of the Art, Part 3," a look at the technology behind the latest features in the autoduellling world of 2042. Other articles include a look at new rules introduced in the *Uncle Albert's Catalog From Hell*, along with Designer's Notes on the newest jumping and falling rules, two pieces of *Car Wars* fiction, and a return visit from that crazy Uncle Schmalbert. All that, and an *AADA Road Atlas and Survival Guide* look at Orlando, FL, plus Arena Watch, new vehicle designs, letters, columns, rules answers in ADQ&A, and more!

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AADA Road Atlas
V3: The South



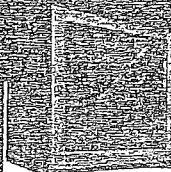
Uncle Albert's 2035
Catalog



Autoduel Quarterly
#10/4



Autoduel Quarterly
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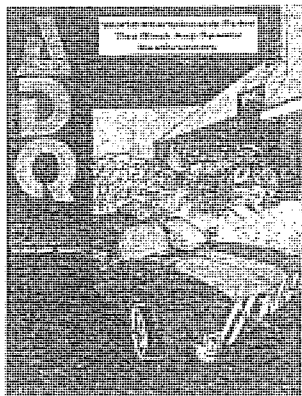
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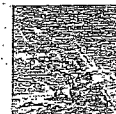


Autoduel Quarterly Issue 10/2 was published in the summer of 1992. It featured "A Day With the Deathrunners," a fictional profile and interview with a freelance squad that recovers duelling casualties in time to get them to a cloning center. It also includes "Telegraph Road," *Car Wars* fiction by Ian Knights, "The Black Asp Speaks" by Craig Sheeley, and "Charge of the Light Brigade," a full-length scenario. All that plus another chapter from the *AADA Road Atlas and Survival Guide*, Arena Watch, letters, columns, rules answers in ADQ&A, and more!

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AADA Road Atlas
V1: The East Coast



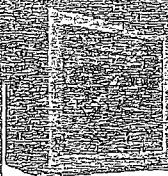
Car Wars Classic



Autoduel Quarterly
#9/4



Autoduel Quarterly
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Autoduel Quarterly Issue 10/3 was published in the fall of 1992. The cover article was Craig Sheeley's "Roadworld: 2042," and it took a look at how highways were built and repaired in trigger-happy, high-combat world of *Car Wars*. On top of that, there are articles on off-road dune-buggy vehicle construction and combat, a variant using bicycle frames and pedal power for alternative vehicles and special combat, "National Past Time," *Car Wars* fiction about the invention of combat baseball in the era of autoduellling, and a silly look at card ideas that were rejected for *Car Wars: The Card Game*. All that, plus an *AADA Road Atlas and Survival Guide* look at Sterling, CO, Arena Watch, letters, columns, rules answers in ADQ&A, Uncle Albert's, and more!

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AADA Road Atlas V7: Mountain West



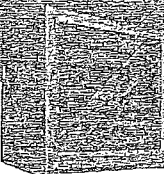
Car Wars Expansion Set 7: Off-Road Duelling



Uncle Albert's 2036 Catalog



Car Wars Classic



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Autoduel Quarterly #10/4

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Autoduel Quarterly Issue 10/4 was published in the winter of 1992, and was the last issue of ADQ ever. After this issue, coverage of *Car Wars* would continue in *Pyramid* magazine. *Autoduel Quarterly* went out with a bang, however, with "The Oldest Trick in the Book," great autoduellling fiction from Mike Stackpole, along with some *Car Wars* gadget designs from Steve Jackson, a complete report on the outbreak of war between the United States and Japan in the autoduellling world, and a 10-year index of all the articles in *Autoduel Quarterly*. All that, plus letters, columns, rules answers in ADQ&A, and more!

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Pyramid Classic #03



Space Gamer #49



Space Gamer #51



Space Gamer #60

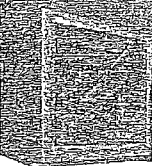
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Autoduel Quarterly #10/3

Autoduel Quarterly #10/3



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EXHIBIT 15

Where We're Going

Trade News from Steve Jackson Games

July 1990

Number 16

SJ Games Finds Support in Secret Service Case

In its battle to stay in business despite continuing "help" from the U.S. Secret Service, Steve Jackson Games has found an important ally.

On July 10, Steve Jackson participated in the press conference that announced the founding of the Electronic Frontier Foundation. Funded by computer pioneers Mitch Kapor and Steve Wozniak, the Foundation has several important goals, as cited in its "Mission Statement." The Foundation will:

★ *Engage in and support educational activities which increase popular understanding of the opportunities and challenges posed by developments in computing and telecommunications.*

★ *Develop among policy-makers a better understanding of the issues underlying free and open telecommunications, and support the creation of legal and structural approaches which will ease the assimilation of these new technologies by society.*

★ *Raise public awareness about civil liberties issues arising from the rapid advancement in the area of new computer-based communications media. Support litigation in the public interest to preserve, protect, and extend First Amendment rights within the realm of computing and telecommunications technology.*

★ *Encourage and support the development of new tools which will endow non-technical users with full and easy access to computer-based telecommunications.*

The third of those issues — civil liberties of computer users — is of course the one which drew the Foundation's interest to Steve Jackson Games. The Foundation has retained the noted civil-liberties law firm, Silverglate and Good, to represent SJ Games. According to Harvey Silverglate, the Steve Jackson case presents important Constitutional questions — First, Fourth and Fifth Amendment issues!

Jackson commented, "This case has gone far beyond the damage to this one company. It's clear that computer users everywhere, especially businesses, are in danger of losing all their disks and hardware at any investigator's whim unless Constitutional protections are extended to electronic media."

Computers Returned — Damaged

On June 20, after word of impending Foundation involvement had leaked to the press, the Secret Service notified Steve Jackson Games that its computer hardware was in the Austin office, ready to be picked up. The next day, SJ Games staffers helped to open a huge crate, full of equipment. The Secret Service has now claimed, in a letter to Senator Lloyd Bentsen, that all of the items seized have been returned. However:

(1) According to their own inventory presented at the time, the Secret Service was retaining one set of papers (they didn't explain why).

(2) Several items of hardware, including a 15-meg hard disk with AADA data, are missing.

(3) Of the three computers returned, one has been very badly damaged, probably beyond repair, and another one has missing data and some physical damage.

(4) Company-owned data and files seized from Loyd Blankenship's home have not yet been returned.

The company's attorneys will continue to press for return of all missing property and for a full explanation of the raid. A suit for damages is not out of the question.

It's Good to be Small

In a time when game prices seem to be going through the roof — some boxed sets costing upwards of \$40 and \$50 — Steve Jackson Games is launching a new game format to bring affordability back into gaming.

Starting in September, we will begin releasing games in our new small-box style. These will be half the size of our "normal" game box, and will carry a diminutive price tag as well — \$9.95! The first release will be the best-selling *Car Wars*, followed in October by a combined version of the classic *Ogre* and *G.E.V.*

Retailers will reap a number of benefits from these small-price, small-format games. First, their size *doubles* your effective shelf-space per game, allowing you to display a wider variety of games. Second (and most important), these two games are proven "starter games." *Ogre* introduced thousands of people to wargaming, and the appeal of *Car Wars* is demonstrated through over a million units sold in the line since its release! For the past few years, the intimidating price tag of *Deluxe Ogre* and *Deluxe Car Wars* has scared away some potential gamers — the smaller editions eliminate this problem.

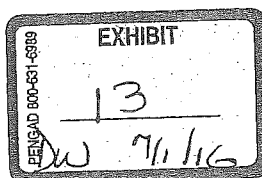
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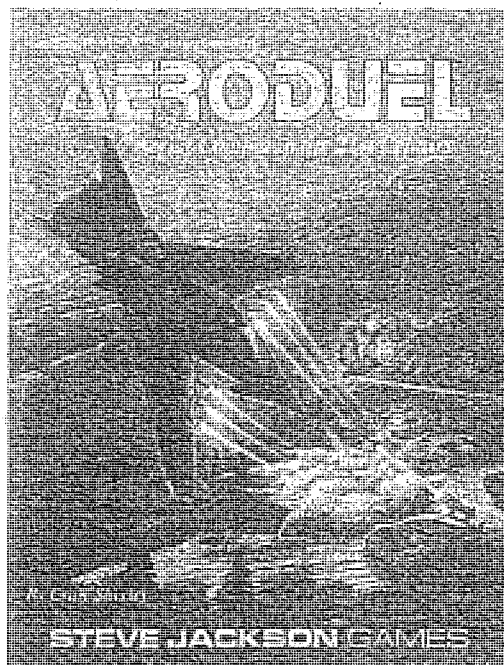
The Sky is the Limit!

Aeroduel, the first big *Car Wars* release of 1990, begins shipping to distributors in August. *Aeroduel* was designed in response to the demand for detailed airplane combat and design rules for *Car Wars*.

The boxed set will retail for \$19.95. It includes two 21"×32" map sheets, one side printed with the map of an airfield, the other side a blank grid for customization by the players; two full-color, 8"×10" counter sheets, with counters provided for jets, biplanes, helicopters, airships, balloons, anti-aircraft bunkers, and many other aviation craft; and the 64-page rulebook, containing such necessities as new crash tables and a 900-mph movement table.

Aeroduel is a *Car Wars* supplement — it is not a stand-alone game. Players will need the *Car Wars Compendium* or *Deluxe Car Wars* to play.

Aeroduel was designed by long-time *Autoduel Quarterly* contributor Craig Sheeley. The cover painting was done by New York artist Jeff Magniat, who is also working on the covers for the new *Car Wars Card Game* and *Car Wars Tanks*. The counters were painted by Michael Scott, whose work can be seen in *Vehicle Guide III*, and the interior illustration was done by Karl Martin, who recently finished the miniatures work on an upcoming MTV video for rock star Billy Idol. *Aeroduel* was edited by Michael Hurst and Loyd Blankenship.



All Creatures

GREAT and Small

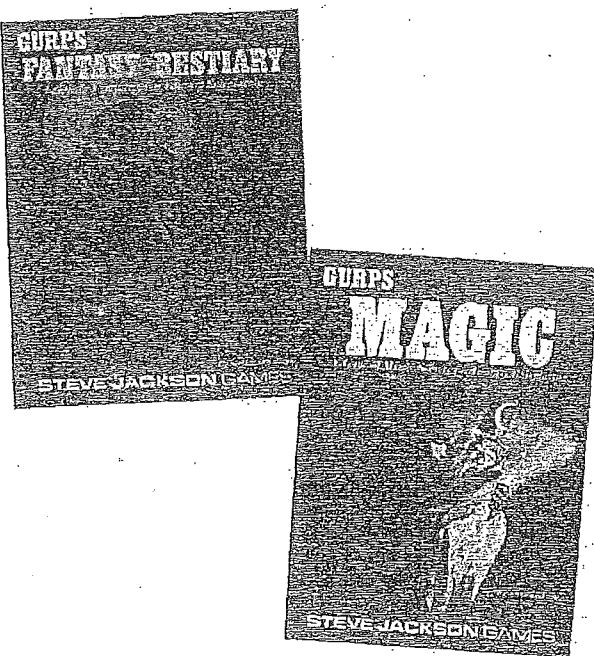
GURPS Fantasy Bestiary is back from the printer and shipping to distributors along with this newsletter. The 128-page book contains hundreds of new creatures for the *Generic Universal Roleplaying System*, and includes chapters on dragons, venoms and venomous creatures, monstrous plants, magical creatures and much, much more.

Despite the "fantasy" title, the creatures can be used in any campaign, from *Ice Age* to *Space*.

Fantasy Bestiary was written by *Splashbucklers* author Steffan O'Sullivan, a professional storyteller and avid mythologist. The cover piece, *The Wizard and the Frog*, is by noted fantasy artist Carol Heyer. Interior illustrations were done by Thomas Baxa, who also worked on the *Space Bestiary*. The book was edited by Steve Jackson.

GURPS Magic Re-Released

The second printing of *GURPS Magic* will also be included in this shipment. Other than the spiffy new Kirk Reinert cover, the only changes in the product are corrected errata and updated nonhuman races. Owners of the first edition don't have to upgrade — it isn't that significant a change. But if they want to purchase the new one, we won't argue...



Se Habla GURPS?

SJ Games is happy to announce that we signed a contract with Joc Internacional for Spanish versions of *GURPS*, *Car Wars*, *Ogre*, *Illuminati*, *Toon* and *Killer*.

Joc, based out of Madrid, currently produces Spanish versions of *Call of Cthulhu*, *Middle Earth Roleplaying System*, *Star Wars* and *Runequest*. Although their primary distribution area is Spain, their products are available in many other Spanish-speaking countries.

Joc's first release will be *Car Wars*, *Car Wars* will be published in late 1990.

This will be followed in mid-1991 by the translation of *GURPS*, with support products following. Joc has expressed interest in publishing original adventures that might later be translated into English!

They can be reached at Joc Internacional, Sant Hipòlit 20, 08030 Barcelona, Spain.

Errata Sheets Available

In publishing something as complex as a game sourcebook, it is inevitable that mistakes will find their way past the playtesters, editors and proofreaders. We try to minimize these errors, but they still happen.

To help make the life of the gamer a bit easier, we offer complete, up-to-date errata sheets for *all* of our products. These are available for the cost of a stamped, self-addressed envelope.

Autoduel Quarterly 8/2 contains an 8-page article by Ken Scott listing all the changes and errata between the first edition and the second edition of *Car Wars Compendium*. We feel that it is unfair to ask owners of the first edition to rush out and buy the second edition (although many will choose to do so), so we are making this article available in the form of an errata sheet. Any *Compendium*, first edition owner can write to us (enclose a long SASE) for this update. In addition, both distributors and retailers can get copies to distribute to their *Car Wars* players. It is especially useful for those retailers who may have a copy of the first edition still on the shelf!

Pick a Card

For the past two years, convention-goers have been treated to the *Car Wars Card Game* — in playtest form. For the past two years, we've been told "Wow! This is great! When can I buy it?" Until this month, our answer has been "We don't know."

Our print buyer has finally come up with a card manufacturer that can provide the quality that we insist on at a price that allows us to retail the game for \$14.95. In our new small-box format, we can present a package that is attractive, functional and affordable.

The *Car Wars Card Game* is easy to learn — a 10-year old can learn the rules in two minutes, and be beating his elders regularly after one game. It is fast-playing — a typical game takes 15 minutes. And it is *fun*! The game captures all the excitement of *Car Wars* — shooting opponents, skidding into walls, losing all four of your tires, etc. — with a simplicity of play that makes the game attractive to everyone. And this isn't just a kids' game — adults say it's great beer & pretzels fun!

The *Car Wars Card Game* comes with two decks of cards (all cards are used in play), six reusable car record sheets, and a rule sheet. It was designed by SJ Games' own Creede and Sharleen Lambard, with graphic design by David Miller, art director for NASA's Space & Rocket Center (home of the U.S. Space Camp). The cover art is by Jeff Magniat, the artist responsible for the beautiful *Aeroduel* cover.

The *Car Wars Card Game* will be shipping October 9, 1990.

Super Improvements

When *GURPS Supers* was released in June of 1989, it marked a new era of superhero roleplaying — no longer were supers just collections of statistics, they now took on a distinct personality! Still, as with any groundbreaking rules system, there were lots of suggestions from users.

When *Supers* went out of print in early July, we decided that, rather than just reprint the existing rules, we would take it out of print for six months and make it a true second edition. Loyd Blankenship, author of the first edition and of *GURPS Cyberpunk*, is currently working on *Supers* second edition (which will feature a new cover and new interior art).

Out of Print!

The following products are out of print:

11xx	All Pocket Box games.
7113	AADA Vehicle Guide
7128	AADA Vehicle Guide 2
7107	Autoduel Champions
21xx	Cardboard Heroes — all sets
6402	Car Warriors Book
7109	Car Wars Blank Map Sheets
7125	Car Wars Expansion Set 10
7106	Car Wars Expansion Set 2
7110	Car Wars Expansion Set 3
7111	Car Wars Expansion Set 4
7112	Car Wars Expansion Set 5
7114	Car Wars Expansion Set 6
7123	Car Wars Expansion Set 9
7108	Car Wars Ref Screen
7136	Car Wars City Blocks 1
7401	Convoy
7101	Crash City
7132	Car Wars Deluxe Edition Ref Screen
7117	Car Wars Deluxe Road Sections 1
7118	Car Wars Deluxe Road Sections 2
7119	Car Wars Deluxe Road Sections 3
1302	Deathtrack
7102	Car Wars Expansion Set 1
7120	Car Wars Expansion Set 7
7121	Car Wars Expansion Set 8
6003	GURPS Autoduel
6011	GURPS Bestiary — will return in 1991
6004	GURPS Horror — will return in September
6018	GURPS High-Tech — will return in 1991
6002	GURPS Orcslayer
6403	GURPS Ref Screen
6017	GURPS Supers — will return in January
6024	GURPS Update
3101	Game Design Book
1202	Globber
7104	Illuminati Expansion Set 1
7105	Illuminati Expansion Set 2
7115	Illuminati Expansion Set 3
7127	Kill Stickers
1204	Man to Man
9000	Murphy's Rules
7202	Ogre Reinforcement Pack
7201	Shockwave
7603	Son of Toon
1304	Star Traders
7122	The Best of ADQ Volume 1
3201	The Ogre Book, I
1203	Toon — will return in 1991
7602	Toon Silly Stuff
7601	Toon Strikes Again
7103	Truck Stop
7130	Uncle Al's 2038 Catalog
6202	Up Harburk!
7133	Vehicle Guide II Counters

What kind of changes are being made? The 1ST world background is being taken out and put in its own book — *International Super Teams* — that will be released as a *Supers* companion volume in January. The rules are being adjusted to ease creation of "four-color" heroes and villains. Many new skills will be added. The psionic rules will conform completely with *GURPS Psi-Tech*.

Retailers, please tell your *Supers* gamers to write us with their ideas for the second edition! Just address it to Loyd, c/o Steve Jackson Games, PO Box 18957, Austin, TX, 78760.

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New Product Release Schedule

July	<i>GURPS Fantasy Bestiary</i> (128 pages, \$16.95, #6504) <i>GURPS Magic, second printing</i> (128 pages, \$16.95, #6023)	November	<i>Car Wars Tanks</i> (boxed, \$19.95, #7129) <i>Awful Green Things From Outer Space</i> (boxed, \$19.95, #1308) <i>GURPS Magic Items</i> (128 pages, \$16.95, #6038)
August	<i>Aeroduel</i> (boxed, \$19.95, #1310)	December	<i>GURPS Psi-Tech</i> (size undetermined, #6040) <i>GURPS Time Travel</i> (size undetermined, #6020)
September	<i>GURPS Horror, second edition</i> (128 pages, \$16.95, #6004) <i>Car Wars</i> (boxed, \$9.95, #1400)	January	<i>GURPS Supers, second edition</i> (128 pages, \$16.95, #6017) <i>GURPS International Super Teams</i> (128 pages, \$16.95, #6506) <i>Uncle Al's Army Surplus</i> (size undetermined, #7149)
October	<i>GURPS Martial Arts</i> (112 pages, \$14.95, #6036) <i>Car Wars Card Game</i> (boxed, \$14.95, #1401) <i>Ogre/G.E.V.</i> (boxed, \$9.95, #1402)	February	<i>GURPS Uplift</i> (size undetermined, #6035)

Shake it Up!

The product release schedule for 1990 and early 1991 has undergone some changes recently. For July, we've added the new printing of *GURPS Magic*. It will be shipping along with *Fantasy Bestiary* (and this newsletter!).

In September, the new version of *Car Wars* will be released, shipping on 9/18. The following month, *Ogre/G.E.V.* and the *Car Wars Card Game* will go out, heading to distributors on October 9.

GURPS Magic Items has been pulled up into November, where it will ship along with *Car Wars Tanks* and a boxed version of the perennial favorite, *The Awful Green Things From Outer Space*.

GURPS Psi-Tech has been moved up to December, teaming with *GURPS Time Travel* for a solid "grandma money" month.

January of 1991 will see the second edition of *GURPS Supers*, along with the complete "official" world background of *International Super Teams*. *Car Wars* players aren't left out, however, as Uncle Al is back with *Uncle Al's Army Surplus*.

Finally, David Brin's award-winning *Uplift* series makes the transition to gaming format with the release of *GURPS Uplift* in February.

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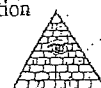


EXHIBIT 16

OK - points

The AADA Road Atlas and Survival Guide™ VOLUME TWO: THE WEST COAST

A Supplement for Car Wars and GURPS Autoduel

by W. Peter Miller

Edited by Scott Haring

Editor-In-Chief: Steve Jackson

Map Graphics: Carl Manz

Typography: Monica Stephens and Melissa Snell

Interior Art: C. Bradford Gorby, plus Dan Carroll, Mike Surbrook, Graham Chaffee, George Webber,

Jeff Hayes, J.C.R., Jason Waltrip, Kyle Miller, John Waltrip, Dan Willemis

Production: Carl Manz, C. Mara Lee, Monica Stephens, Melissa Snell, Sharleen Lambard

For Barbara, whose love and support made writing this possible. And for Mom — thanks for the computer.

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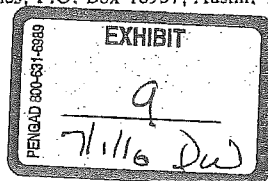
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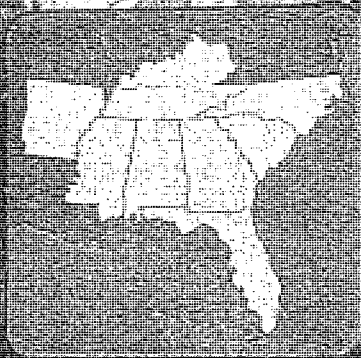
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SJG000170

Supplement for
GURPS Antoduel
and
CAR WARS

The AADA Road Atlas and Survival Guide
VOLUME THREE: THE SOUTH



STEVE JACKSON GAMES

The AADA Road Atlas and Survival Guide VOLUME THREE: THE SOUTH

A Supplement for *Car Wars* and *GURPS Autoduel*

By David Bowden

Adventure by Steve Jackson, David Ladyman, and David Bowden

Edited by David Ladyman and Scott D. Haring

Cover Photo courtesy of Georgia Park Service; Cover Vehicle by Donald Smith

Interior Art: Jason and John Waltrip, with Mark Angeli, Dan Carroll, and Graham Chaffee

Maps, Graphics, and Production: Cynthia Freeman, J. David George, David Ladyman, C. Mara Lee, Carl Manz, Czeslaw Sarnat, Melinda Spray, and Monica Stephens

System Design by Steve Jackson; Development by David Ladyman

Playtesters: Wes Bagley, Lon Banderob, Darren Carter, Britt Eubanks, Bruce Evans, Mary Furber, Tim Hempleman, Dyrck Hughes, Kevin Lynch, Mike Martinsen, Rob Rappican, Janice Rollins, Mike Sample, David Seagraves, Christopher J. Stoddard, John Sullivan, George Thorstad, Paul Toney, John Van Dyke, and the Wrecking Crew (Ray Carter, Dean Kenady, Martha Ladyman, Dan Ormiston, Larry Stohr, and Michael Vragel).

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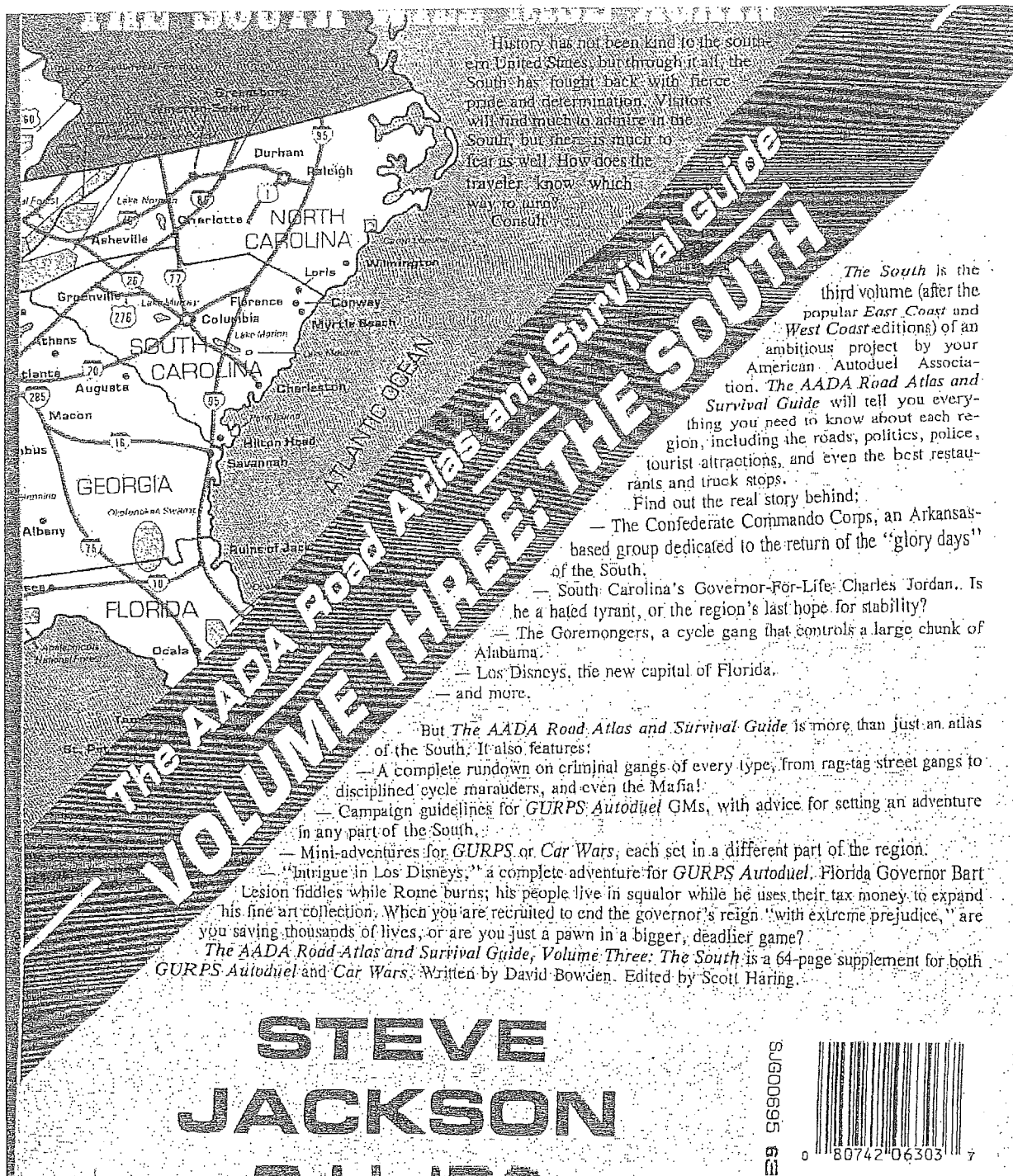
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History has not been kind to the southern United States, but through it all, the South has fought back with fierce pride and determination. Visitors will find much to admire in the South, but there is much to fear as well. How does the traveler know which way to turn? Consult

The South is the third volume (after the popular *East Coast* and *West Coast* editions) of an ambitious project by your American Autoduel Association. *The AADA Road Atlas and Survival Guide* will tell you everything you need to know about each region, including the roads, politics, police, tourist attractions, and even the best restaurants and truck stops.

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- The Confederate Commando Corps, an Arkansas-based group dedicated to the return of the "glory days" of the South.
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- The Goremongers, a cycle gang that controls a large chunk of Alabama.
- Los Disneys, the new capital of Florida.
- and more.

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- A complete rundown on criminal gangs of every type, from rag-tag street gangs to disciplined cycle marauders, and even the Mafia!
- Campaign guidelines for *GURPS Autoduel* GMs, with advice for setting an adventure in any part of the South.
- Mini-adventures for *GURPS* or *Car Wars*, each set in a different part of the region.
- "Intrigue in Los Disneys," a complete adventure for *GURPS Autoduel*. Florida Governor Bart Lesion fiddles while Rome burns; his people live in squalor while he uses their tax money to expand his fine art collection. When you are recruited to end the governor's reign "with extreme prejudice," are you saving thousands of lives, or are you just a pawn in a bigger, deadlier game?

The AADA Road Atlas and Survival Guide, Volume Three: The South is a 64-page supplement for both *GURPS Autoduel* and *Car Wars*. Written by David Bowden. Edited by Scott Haring.

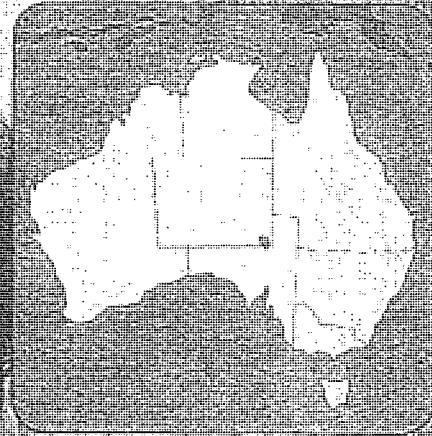
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Supplement for
GURPS® Autoduel®
and
CAR WARS®

The AADA Road Atlas and Survival Guide **VOLUME FOUR: AUSTRALIA**



\$7.95

The AADA Road Atlas and Survival Guide VOLUME FOUR: AUSTRALIA

A Supplement for *Car Wars*® and *GURPS Autoduel*®

By Greg Rickards, Gary Makin and Steve Reynolds

With additional material by Geoff Horne, W.G. Armintrout and Craig Sheeley

Edited by W.G. Armintrout with Scott Haring; technical assistance by Steven Beeman, Norman Banduch and Dave Scagraves

Cover photo courtesy of Promotion Australia; cover vehicles by Donald Smith

Interior art by Dan Carroll

Maps, graphics and production: David Ladyman, C. Mara Lee, Carl Manz, Czesław Sornat, Melinda Spray, Monica Stephens
Thanks to: Tim Barrett, for lots of help with the computers; Robert Prior, for photocopying and other practical help; Alan Grieve, our resident Queenstand expert, and Joseph Chilarri and Gary Cross for useful suggestions.

System design by Steve Jackson; development by David Ladyman

Playtesters: Australia — Tim Barrett, Richard Cornwall, Phillip McGregor, Steve Merril, NSW Wargamers Club, John Stathakis, Wayne Stewart; USA — Alliance of the Dragon, Norman Banduch, David W. Dyche, Matthew Huff, Mike Montgomery, Mount Pleasant Gaming Association (Allen Shock, John Doyle, John C. Monahan, Mary Zawacki, Stephanie Wardwell), Dave Scagraves, Craig Sheeley, the Wrecking Crew (Ray Carter, Eric Jerome, Dean Kenady, Dan Ormiston, Larry Stohr, and Michael Vragel), John and Brenda Wright, and Raven Carleton Wright

Portions of this atlas are excerpted from RADAA publications. Australian spelling has been retained whenever possible.

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Supplement for
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The AADA Road Atlas and Survival Guide **VOLUME FIVE: THE MIDWEST**

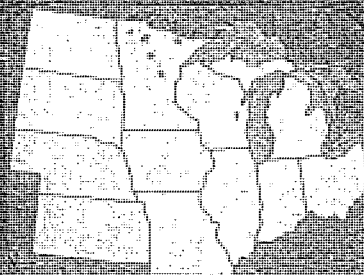
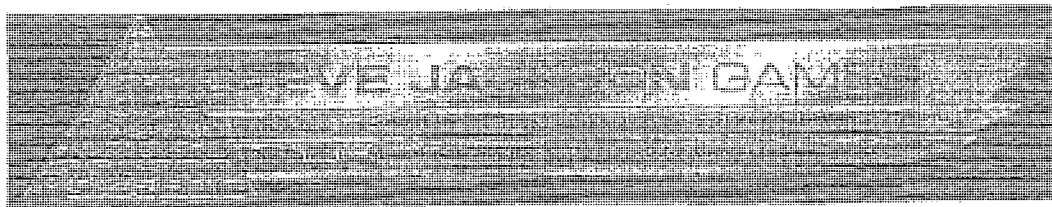


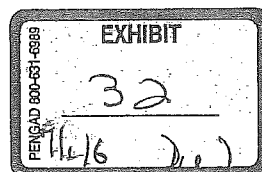





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


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03-28-2014, 10:10 AM #1		
owenmp Join Date: Sep 2004 Location: Bellevue, WA, USA	GURPS Autoduel First Edition and W23 <p>Could GURPS Autoduel First Edition be uploaded to W23? The book is helpful when using the seven AADA Road Atlas and Survival Guides, GURPS Car Warriors and GURPS Horrortown USA which reference older editions of the GURPS rules GURPS Autoduel First Edition discusses.</p> <p>I am aware GURPS Autoduel Second Edition has been available on W23 for several years. Having both editions of GURPS Autoduel on W23 would be a great for Car Wars archivists.</p> <p>Michael P. Owen Seattle Washington Autoduel Team http://www.seanet.com/~owenmp/swathome.html http://owenmp.wordpress.com</p>	
03-28-2014, 10:29 AM #2		
LokRobster  Join Date: Mar 2005 Location: Republic of Texas; FOS	Re: GURPS Autoduel First Edition and W23 <p>Quote:</p> <p>Originally Posted by owenmp Could GURPS Autoduel First Edition be uploaded to W23? The book is helpful when using the seven AADA Road Atlas and Survival Guides, GURPS Car Warriors and GURPS Horrortown USA which reference older editions of the GURPS rules GURPS Autoduel First Edition discusses.</p> <p>I am aware GURPS Autoduel Second Edition has been available on W23 for several years. Having both editions of GURPS Autoduel on W23 would be a great for Car Wars archivists.</p> <p>Agreed. I bought a hard copy of GURPS AutoDuel v1 for this very reason. The "Campaign Types" section is pretty cool, with descriptions of "Clubhouse Blues", "Lone Wolf" and suggestions to implement them for GMs. I had the RAaSGs way before I got the original source book, and they're replete with references to the Campaign Type chapter. I'm fairly certain that the 2nd. Ed doesn't keep those distinctions, at least not with the same names and framework.</p> <p>Building 3x scale, our CarWars blog: North Texas Autoduel Association</p>	
03-28-2014, 01:47 PM #3		
Re: GURPS Autoduel First Edition and W23		



<p><u>swordtart</u></p> <p>Join Date: Jun 2008</p>	<p>Ditto.</p> <p>I had it in dead-tree edition but lent it to someone never to see it again ;(</p> <p>I was sure there were some decent campaign rules in there as well.</p> <p>IIRC the game was geared to playing the auto combat with CW rules - before GURPS vehicles and just using GURPS for the RP aspect. I may be misremembering though.</p>
<p>03-28-2014, 04:22 PM</p> <p><u>Steven Marsh</u></p>  <p>Join Date: Aug 2004</p>	<p>#4</p> <p>Re: GURPS Autoduel First Edition and W23</p> <p>In general, we're not averse to getting other editions online, if those earlier editions offer something that's compelling or different. I'll see what we're able to do (although I admit that it'll be a lower priority, since it'll likely involve poking through corners of archives that haven't witnessed the light of day in many a year...).</p> <p>Steven Marsh Steve Jackson Games smarsh@sjgames.com</p> <p>Last edited by Steven Marsh; 03-28-2014 at 04:43 PM.</p>
<p>03-29-2014, 05:53 AM</p> <p><u>ColBosch</u></p>  <p>Join Date: May 2007</p>	<p>#5</p> <p>Re: GURPS Autoduel First Edition and W23</p> <p>Quote:</p> <p>Originally Posted by swordtart ☹</p> <p>Ditto.</p> <p><i>I had it in dead-tree edition but lent it to someone never to see it again ;(</i></p> <p><i>I was sure there were some decent campaign rules in there as well.</i></p> <p><i>IIRC the game was geared to playing the auto combat with CW rules - before GURPS vehicles and just using GURPS for the RP aspect. I may be misremembering though.</i></p> <p>It actually gave a pretty decent version of the Car Wars rules, modified for GURPS 1e. Much faster to use than the GURPS Vehicles rules, as long as you have maps and counters handy. Autoduel 2e was a far superior worldbook, but the first edition is very worthwhile for those vehicle rules, more so than any other (non-licensed) early GURPS book.</p>
<p>03-30-2014, 08:33 AM</p> <p><u>grindforce</u></p>  <p>Join Date: Feb 2008 Location: Torquay, UK.</p>	<p>#6</p> <p>Re: GURPS Autoduel First Edition and W23</p> <p>I would also very much like to be able to purchase the pdf of Gurps Autoduel 1st Edition at Warehouse 23. In the past I have owned two copies of the hard copy at different times in my life, but sadly I no longer own a copy of this great book, which I feel is quite different to the Second Edition.</p>
<p>03-30-2014, 11:50 AM</p> <p><u>ColBosch</u></p>	<p>#7</p> <p>Re: GURPS Autoduel First Edition and W23</p> <p>Quote:</p> <p>Originally Posted by grindforce ☹</p> <p><i>I would also very much like to be able to purchase the pdf of Gurps Autoduel 1st Edition</i></p>

 <p>Join Date: May 2007</p>	<p><i>at Warehouse 23. In the past I have owned two copies of the hard copy at different times in my life, but sadly I no longer own a copy of this great book, which I feel is quite different to the Second Edition.</i></p> <p>I should note that eBay prices on the book are very reasonable. Right now there's at least one with a starting bid of \$8 (no bids as of this writing) and three for outright sale in the \$20 range (one even comes with GURPS Supers 1e). Of the GURPS Autoduel stuff, only Zombietown USA is routinely priced at "cray-cray" levels, for some reason. Zombies, likely.</p>
#8	
<p>11-03-2014, 06:51 AM</p> <p>MJBurrage</p> <p>Join Date: Nov 2009 Location: Vermont & DC</p>	<p>Re: GURPS Autoduel First Edition and W23</p> <p>I have everything Car Wars in paper, and would still be willing to pay for a PDF of GURP Autoduel 1st Ed.</p> <p>As noted by others, While 2nd Ed is the better GURPS Worldbook, 1st Ed is in some ways a better reference for adding light role-playing to a Car Wars game.</p>
#9	
<p>11-09-2014, 10:15 AM</p> <p>brionl</p> <p>Join Date: Jul 2013</p>	<p>Re: GURPS Autoduel First Edition and W23</p> <p>Yahbut, do you have Autoduel Champions?</p>
#10	
<p>11-09-2014, 02:31 PM</p> <p>ColBosch</p>  <p>Join Date: May 2007</p>	<p>Re: GURPS Autoduel First Edition and W23</p> <p>Quote:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Originally Posted by brionl </p> <p>Yahbut, do you have Autoduel Champions?</p> </div> <p>I do, and it's...meh. But then, I never really was a fan of Champions nor ever saw a need to bring superheroes into my Car Wars games.</p> <p>Keeper of the GURPS Banner</p>

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EXHIBIT 18

EXHIBIT 18

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EXHIBIT 19

ESTTA Tracking number: ESTTA557372

Filing date: 09/03/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Steve Jackson Games Incorporated
Granted to Date of previous extension	08/31/2013
Address	P.O. Box 18957 Austin, TX 78760 UNITED STATES

Attorney information	Richard J. Groos Fulbright & Jaworski LLP 98 San Jacinto Blvd., Suite 1100 Austin, TX 78701 UNITED STATES aoipdocket@nortonrosefulbright.com, sheri.hunter@nortonrosefulbright.com, kellie.pfertner@nortonrosefulbright.com
----------------------	---

Applicant Information

Application No	85846846	Publication date	07/02/2013
Opposition Filing Date	09/03/2013	Opposition Period Ends	08/31/2013
Applicant	Big Boat Interactive 19328 hinsdale ave Torrance, CA 90503 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: Computer game software for personal computers and home video game consoles

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	85940537	Application Date	05/23/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	AUTODUEL		
Design Mark			

EXHIBIT 50

M. Kaufman

9/17/16

Iodi Monroe, CSR 13010

SJG000529

Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2005/01/06 First Use In Commerce: 2005/01/06 Digital, downloadable, or electronic media; namely, text and graphic files of rules, maps, components, and supplements for family games, boardgames, and roleplaying games

Attachments	AUTODUEL Notice of Opposition.pdf(242149 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Sheri M. Hunter/
Name	Sheri M. Hunter
Date	09/03/2013

EXHIBIT 20

EXHIBIT 20

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INFORMATION**

EXHIBIT 21

Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

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LAW OFFICE ASSIGNED	LAW OFFICE 104
DATE OF NOTICE OF ABANDONMENT	03/16/2015
MARK SECTION	
MARK	http://tsdr.uspto.gov/img/86184848/large
LITERAL ELEMENT	HIPSTER DICE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
MISCELLANEOUS STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	No claim is made to the exclusive right to use "DICE" apart from the mark as shown.
PETITION	
PETITION STATEMENT	Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.
NOTICE OF ALLOWANCE	Notice of Allowance was not received by applicant.
STATEMENT OF USE	
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CITY	Austin
STATE	Texas
ZIP/POSTAL CODE	78760
COUNTRY	United States
PHONE	512-447-7866
FAX	512-447-1144
EMAIL	sj@sjgames.com
OWNER SECTION (proposed)	
NAME	Steve Jackson Games Incorporated
STREET	P.O. Box 18957

CITY	Austin
STATE	Texas
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COUNTRY	United States
PHONE	512-447-7866
FAX	512-447-1144
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CORRESPONDENCE SECTION (current)	
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FIRM NAME	STEVE JACKSON GAMES INCORPORATED
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STATE	BOX
POSTAL CODE	18957
COUNTRY	United States
PHONE	512-447-7866
FAX	512-447-1144
EMAIL	sj@sjgames.com
CORRESPONDENCE SECTION (proposed)	
NAME	STEVE JACKSON GAMES INCORPORATED
FIRM NAME	STEVE JACKSON GAMES INCORPORATED
STREET	P.O. Box 18957
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STATE	Texas
POSTAL CODE	78760
COUNTRY	United States
PHONE	512-447-7866
FAX	512-447-1144
EMAIL	sj@sjgames.com;elisabeth@sjgames.com
GOODS AND/OR SERVICES SECTION FOR STATEMENT OF USE	
INTERNATIONAL CLASS	028
CURRENT IDENTIFICATION	Dice games
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	11/03/2014
FIRST USE IN COMMERCE DATE	11/03/2014
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\861\848\86184848\xml10 PSE0002.JPG
SPECIMEN DESCRIPTION	web page showing Hipster Dice offered for sale
EXTENSION OF TIME TO FILE A STATEMENT OF USE	

EXTENSION PERIOD(S)	1
ALLOWANCE MAIL DATE	08/12/2014
PAYMENT SECTION	
PETITION FEE	100
NUMBER OF CLASSES IN USE	1
EXTENSION FEE	150
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	350
SIGNATURE SECTION	
PETITION SIGNATURE	/Elisabeth B Zakes/
SIGNATORY'S NAME	Elisabeth B Zakes
SIGNATORY'S POSITION	Copyright and Trademark Administrator
DATE SIGNED	03/30/2015
SIGNATORY'S PHONE NUMBER	512-447-7866
DECLARATION SIGNATURE	/Elisabeth B Zakes/
SIGNATORY'S NAME	Elisabeth B Zakes
SIGNATORY'S POSITION	Copyright and Trademark Administrator
DATE SIGNED	03/30/2015
SIGNATORY'S PHONE NUMBER	512-447-7866
FILING INFORMATION	
SUBMIT DATE	Mon Mar 30 17:37:20 EDT 2015
TEAS STAMP	USPTO/PSE-XX.XXX.XXX.XXX- 20150330173720084011-8618 4848-530799f7c8384a18462e 56ecf776e892a676f9ddd3336 5634fd5e44de4d4aa52c7-CC- 5020-20150330171534089873

Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request
To the Commissioner for Trademarks:

MARK: HIPSTER DICE(Standard Characters, see <http://tsdr.uspto.gov/img/86184848/large>)
SERIAL NUMBER: 86184848

PETITION

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Notice of Allowance was not received by applicant.

EXTENSION OF TIME AND STATEMENT OF USE

The applicant, Steve Jackson Games Incorporated, having an address of
P.O. Box 18957
Austin, Texas 78760
United States

requests revival of the application identified above, submits extension(s) of time and Statement of Use. The Notice of Allowance mailing date was 08/12/2014.

The applicant is filing extension number(s): 1

For International Class 028:
Current identification: Dice games

The mark is in use in commerce on or in connection with all goods/services listed in the Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 11/03/2014, and first used in commerce at least as early as 11/03/2014, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) web page showing Hipster Dice offered for sale.

[Specimen File1](#)

MISCELLANEOUS STATEMENTS

No claim is made to the exclusive right to use "DICE" apart from the mark as shown.

The applicant's current Correspondence Information: STEVE JACKSON GAMES INCORPORATED of STEVE JACKSON GAMES INCORPORATED

PO, BOX 18957
United States (USX)

The applicant's proposed Correspondence Information: STEVE JACKSON GAMES INCORPORATED of STEVE JACKSON GAMES INCORPORATED P.O. Box 18957

Austin, Texas (TX) 78760
United States (USX)

The phone number is 512-447-7866.

The fax number is 512-447-1144.

The email address is sj@sjgames.com; elisabeth@sjgames.com.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the petition fee.

A fee payment in the amount of \$150 will be submitted with the form, representing payment for the extension fee.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

A fee payment in the total amount of \$350 will be submitted.

Petition

Signature: /Elisabeth B Zakes/ Date Signed: 03/30/2015
Signatory's Name: Elisabeth B Zakes
Signatory's Position: Copyright and Trademark Administrator
Signatory's Phone: 512-447-7866

Declaration

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

STATEMENTS FOR PETITION TO REVIVE: The signatory believes that he/she has firsthand knowledge that the applicant's failure to timely file a statement of use (SOU) or request for an extension of time to file a statement of use (extension request) was unintentional; and requests that the USPTO revive the application.

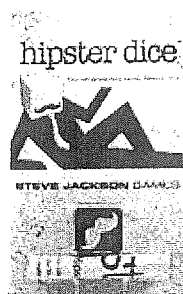
STATEMENTS FOR SOU: The signatory believes that: if the applicant is filing the SOU under 15 U.S.C. Section 1051(d), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with all the goods/services in the notice of allowance or as subsequently modified, and such use by the applicant's related company or licensee inures to the benefit of the applicant; that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services in commerce.

STATEMENTS FOR EXTENSION REQUEST: The signatory believes that: if the applicant is filing the extension request under 15 U.S.C. Section 1051(d), the applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all the goods/services under Section 1(b) in the notice of allowance or as subsequently modified; and that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /Elisabeth B Zakes/ Date Signed: 03/30/2015
Signatory's Name: Elisabeth B Zakes
Signatory's Position: Copyright and Trademark Administrator
Signatory's Phone: 512-447-7866

Serial Number: 86184848
Internet Transmission Date: Mon Mar 30 17:37:20 EDT 2015
TEAS Stamp: USPTO/PSE-XX.XXX.XXX.XXX-201503301737200
84011-86184848-530799f7c8384a18462e56ecf
776e892a676f9ddd33365634fd5e44de4d4aa52c
7-CC-5020-20150330171534089873

hipster dice™



Designed by Samuel Mitschke & Developed by Leonard Bahera
and Brian Engard
Art by Samuel Mitschke

Based on the underground German phenomenon, *Nichtneecherswürfelspiel*, and updated with vintage rules, *Hipster Dice* is poised to be the perfect game to play while you're waiting in line at the second-hand clothes store. Get it before it's cool.

Expand your hipster cred with the random extra rules to the right. If you want.



Optional Rule: Dice Tricks Are So Commercial

If you roll the die and it falls off the table, the person to your right gets to choose your category for you, because merely being unregressive doesn't prove you have any insights. *Poseur*.

If you can keep the die on the table but make it come up cocked, you can pick any category, because you have highlighted the weakness of the mechanical routine that your friends have bought into.

Photos

- ▲ [Deconstructed Melon](#)
- ▲ [Free-Range Yolk](#)
- ▲ [Cold Shoulder](#)
- ▲ [Corporate Byproducts](#)
- ▲ [Crisp Denim](#)
- ▲ [Aquapunk](#)
- ▲ [Obscure](#)

Contents

- ▲ One faux vintage 19mm die
- ▲ One staple-free rulesheet
- ▲ A smug sense of self-satisfaction
- ▲ [Rules No One Reads](#)

Obscure Things

- ▲ [This shirt](#) is very secret. You haven't heard of it.



Deconstructed Melon Hipster Dice
Frosted Red Die with Pastel Green Ink
Suggested Retail Price \$4.95
Stock number 131336A
UPC 837654322192
Available Now - [click here to order!](#)



Free-Range Yolk Hipster Dice
Pearlized Yellow Die with White Ink
Suggested Retail Price \$4.95
Stock number 131336B
UPC 837654322192
Available Now - [click here to order!](#)



Cold Shoulder Hipster Dice
Frosted White Die with Gray Ink
Suggested Retail Price \$4.95
Stock number 131336C
UPC 837654322192
Available Now - [click here to order!](#)



Corporate Byproducts Hipster Dice
Glow-In-The-Dark Die with Pink Ink
Suggested Retail Price \$4.95
Stock number 131336D
UPC 837654322192
Available Now - [click here to order!](#)



Crisp Denim Hipster Dice
Pearlized Blue Die with Powder Blue Ink
Suggested Retail Price \$4.95
Stock number 131336E
UPC 837654322192
Ironing Pants



Aquapunk Hipster Dice
Swirled Cyan and Pink Die with Purple Ink
Suggested Retail Price \$4.95
Stock number 131336F
UPC 837654322192
Available Now - [click here to order!](#)

Warehouse 23 Exclusive Dice



Obscure Hipster Dice (W23 Exclusive)
Pearlized Black Die with Gray Ink
Suggested Retail Price \$4.95
Stock number 131336G*
UPC 837654322192
Warehouse 23 Only! - [click here to order!](#)

RAM SALE NUMBER: 86184848
RAM ACCOUNTING DATE: 20150331

INTERNET TRANSMISSION DATE:
2015/03/30

SERIAL NUMBER:
86/184848

Description	Fee Code	Transaction	Total Fees Paid
POA	7005	2015/03/30	100
ESU	7004	2015/03/30	150
SOU	7003	2015/03/30	100

United States of America
United States Patent and Trademark Office

HIPSTER DICE

Reg. No. 4,765,364

Registered June 30, 2015

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

STEVE JACKSON GAMES INCORPORATED (TEXAS CORPORATION)
P.O. BOX 18957
AUSTIN, TX 78760

FOR: DICE GAMES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 11-3-2014; IN COMMERCE 11-3-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DICE", APART FROM THE MARK AS SHOWN.

SN 86-184,848, FILED 2-5-2014.

JASON BLAIR, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 22

2400 A.D.

From Wikipedia, the free encyclopedia

2400 A.D. is a 1987 role-playing video game^[1] designed by Chuck Bueche and published by Origin Systems. It was developed for the DOS and Apple II platforms; a version for the Commodore 64 was planned, but never completed.

Contents

- 1 Premise
- 2 Description
- 3 Release
- 4 Reception
- 5 Ports and sequel
- 6 References
- 7 External links

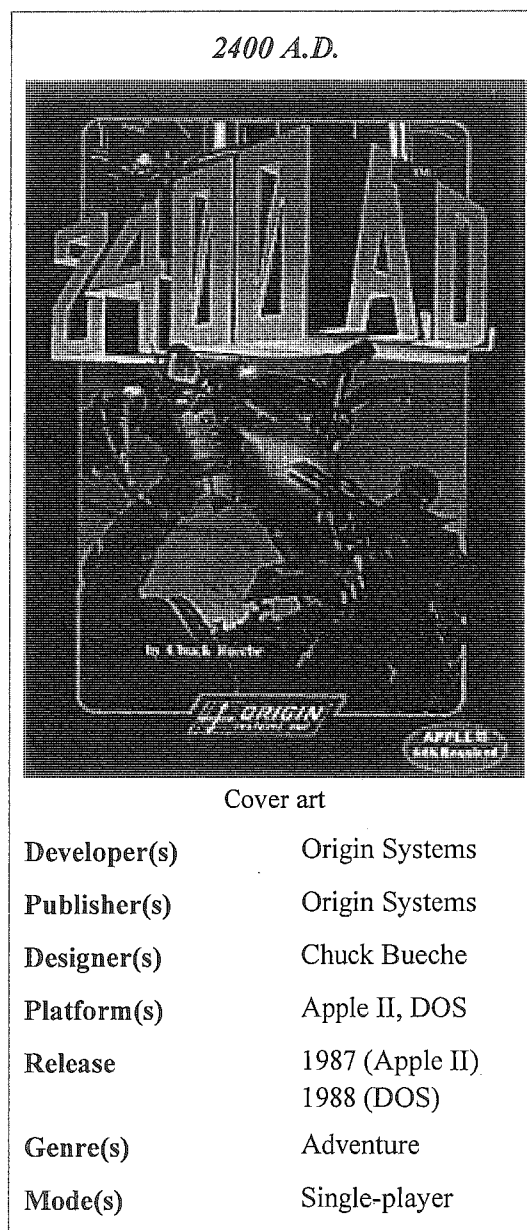
Premise

This post-apocalyptic RPG casts the player as a member of an underground resistance organization trying to free the human inhabitants of planet XK-120 from the clutches of a tyrannical race of robotic oppressors known as the Tzorgs. The ultimate aim is to destroy the robots' central control.

Description

In this RPG by Chuck Bueche, the player plays the role of an ordinary citizen who lives in the futuristic city Metropolis. The city has been conquered, and its population enslaved by an alien race known as Tzorgs. They have sent robots to maintain order in Metropolis, turning it into a police state. There are rumors of an underground resistance movement, but finding the resistance is dangerous, and being caught by the robots will lead to being thrown in prison...

The gameplay style is very similar to the Ultima series, also from Origin Systems. The entire game is viewed from top-down perspective. The various commands (search, open, talk, etc.) are executed by pressing a correspondent key on the keyboard. Battles take place on the same screen as exploration, and require the player to press A (for "attack") and a directional key to aim at the enemy. The game is set entirely in the big city, with streets and buildings to explore, items and weapons to buy, and people to talk to.



Cover art

Developer(s)	Origin Systems
Publisher(s)	Origin Systems
Designer(s)	Chuck Bueche
Platform(s)	Apple II, DOS
Release	1987 (Apple II) 1988 (DOS)
Genre(s)	Adventure
Mode(s)	Single-player

Release

In addition to a large fold out city map, 2400 AD was packaged with a set of three lead figures. All three depict heavily armed robot soldiers and were cast by Grenadier Miniatures (two in 1984 and one in 1987).

Reception

Computer Gaming World in 1988 criticized *2400 A.D.*'s graphics and several other flaws with the game's structure and plot. It concluded "the game lacks intensity and is a disappointment. There are practically no puzzles, and hardly any challenge".^[2] In 1993 the magazine called *2400 A.D.* "a science fiction cartoon pretending to be a real game" that "may be good for a summer afternoon or rainy day when you want something that isn't mentally taxing or especially involving".^[3]

Ports and sequel

The Commodore 64 port was in development by John Romero, but was shelved due to poor sales of the original Apple II version. Romero left Origin in June 1988. The Commodore 64 port was once again resurrected and Ocean Software programmer Allan Shortt worked on the port, but due to communication problems, it was shelved once again at 85% complete.^[4]

Bueche developed a sequel titled *2500 A.D.*, but it was halted in development because of poor sales of *2400 A.D.*^{[5][6]}

References

1. Barton, Matt (2007-02-23). "Part 2: The Golden Age (1985-1993)". *The History of Computer Role-Playing Games*. Gamasutra. Archived from the original on 30 March 2009. Retrieved 2009-03-26.
2. Scorpia (February 1988). "2400 A.D.". *Computer Gaming World*. p. 40.
3. Scorpia (October 1993). "Scorpia's Magic Scroll Of Games". *Computer Gaming World*. pp. 34–50. Retrieved 25 March 2016.
4. Gasking, Frank (2010-08-22). "'2400 AD', 1988 Origin". *Games That Weren't*. Games That Weren't.
5. "2400 A.D. Trivia". *MobyGames entry for 2400 A.D.*. MobyGames.
6. "Romero tweets about 2400 A.D. sequel, 2500 A.D.". *GameTales: HomeCourt*. Planet Romero.

External links

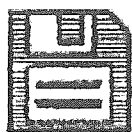
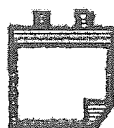
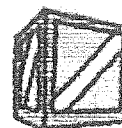
- 2400 A.D. (<https://www.mobygames.com/game/2400-ad>) at MobyGames
- 2400 A.D. (https://archive.org/details/msdos_2400_AD_1988) can be played for free in the browser at the Internet Archive

Retrieved from "https://en.wikipedia.org/w/index.php?title=2400_A.D.&oldid=738445807"

Categories: 1987 video games | Apple II games | DOS games | Post-apocalyptic video games

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EXHIBIT 23

**RESOURCES****PREVIOUS EDITIONS****STORE**

Resources and Play Aids

Products

- List of all available *Car Wars* products in print.
- List of all available digital *Car Wars* products on Warehouse 23.

FAQ

- *Car Wars* Frequently Asked Questions – last updated May 21, 2015

American Autoduelling Association

- The AADA is the international club for fans and players of *Car Wars*.

Autoduel Quarterly

- For 10 years, ADQ was the official *Car Wars* magazine. It has not been published since 1992, but we are currently building an online archive.
 - The Autoduel Quarterly Archive is available from Warehouse 23 in PDF format.
 - ADQ&A – Rules Questions and Answers from *Autoduel Quarterly*.

Errata

- The errata for *Car Wars* products.

Unofficial Car Wars Sites

- Fan written pages giving variant rules, fiction, original vehicle designs, and new arenas.

Players

- Looking for people to play with? Looking for good retailers? Use the Gamer Finder!

Blasts From the Past

- Here's our specially-selected list of autoduelling resources on the web.

Banners

- Download *Car Wars* banners for your web site.

Forums

- Discuss *Car Wars* in the Steve Jackson Games [Forums](#)

STEVE JACKSON GAMES

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EXHIBIT 24

CAR WARS

EXPANSION SET #4

Armadillo Autoduel Arena



STEVE JACKSON GAMES
The original Car Wars game.

Steve Jackson Games / Car Wars

Car Wars Expansion Set 4 - Armadillo Autoduel Arena

★★★★ (3)

\$2.99

1 ADD TO CRATE

Contents

44-page PDF

File Size

99.3 MB PDF

Preview

Download (4.75 MB)

Publisher

Steve Jackson Games

Stock Number SJG30-7111

THIS IS A DIGITAL FILE

VISIT THE OFFICIAL WEBSITE



Get "Shell" Shocked!

The Armadillo Autoduel Arena has launched many adventurers on their quest for death or glory. *Car Wars Expansion Set 4 - Armadillo Autoduel Arena* includes the 32" x 42" arena map, a history of the Armadillo Autoduel Arena, a description of the area inside and outside the Arena, combat scenarios covering a week's schedule, and 16 color wreck counters - one for each car in the original *Car Wars* game.

The supplement was originally printed on oversized paper, so this PDF contains two formats: the original size, for those with access to oversize printers, and modified versions that span multiple regular sheets.

Written by Steve Jackson

RECOMMENDED



AADA Road Atlas V6: The Free Oil States



Car Wars Arena Book

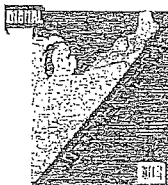


Car Wars Arena Book 1



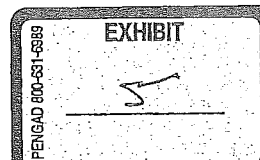
The AADA Duel Circuit: L'Outrance

Recently Viewed



\$5.99

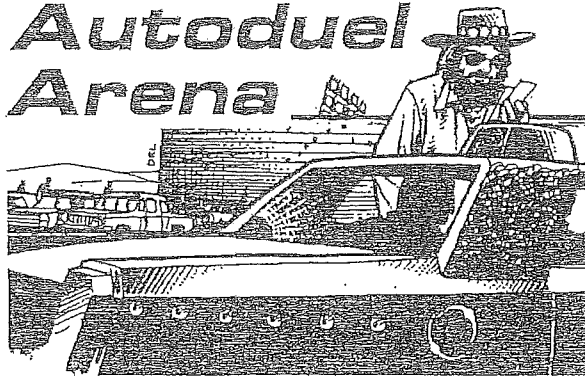
Autoduel America Map



CAR WARS

EXPANSION SET #4

Armadillo Autoduel Arena



The Armadillo Autoduel Arena has launched many adventurers on their quest for death or glory. This set includes the 32" x 42" arena map; complete instructions; combat scenarios covering a week's schedule at the Arena; and 16 color wreck counters — one for each car in the original *Car Wars* game.

To use this supplement, you must have the basic *Car Wars* set. The *Sunday Drivers* supplement will be helpful in understanding the background.

Designed by Steve Jackson; playtested by the Texas AADA.

STEVE JACKSON GAMES

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